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Duke of Argyll	Prof. R. K. Hannay
C. T. Atkinson	Prof. C. S. S. Higham
W. B. Blaikie	A. W. Johnston
Sheriff P. J. Blair	E. Alfred Jones
Professor G. Baldwin Brown	Robert Lamond
J. T. T. Brown	Andrew Law
A. B. Calderwood	Rev. John MacBeth
Prof. A. H. Charteris	Prof. W. S. McKechnie
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J. Storer Clouston	Hamish A. MacLehose
W. A. Craigie	James MacLehose
W. R. Cunningham	Andrew Marshall
A. O. Curle	W. L. Mathieson
James Curle	Sir Herbert Maxwell, Bart.
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John Edwards	David Murray
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D. Hay Fleming	Sir J. Balfour Paul
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Prof. W. R. Scott
Sir Bruce Seton, Bart.
Walter Seton
David Baird Smith
J. H. Stevenson

A. Francis Steuart
Maria Steuart
Sheriff A. S. D. Thomson
A. M. Williams
J. W. Williams
Rev. Canon Wilson

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Tour of Mary, Queen of Scots, through South-western Scotland

ON page 155 of the Rev. C. H. Dick's *Highways and Byways of Galloway and Carrick*¹ there is a masterly pencil sketch by the late Mr. Hugh Thomson of the quaint bridge which, abutting on the old woollen mill of Cumloden, flings itself across the rocky gorge through which the Penkill Burn hurries towards its junction with the Cree.² Both mill and bridge are of unknown antiquity, certainly far older than the pretty and prosperous town of Newton Stewart, which until far on in the eighteenth century was no more than a humble 'clachan,' taking the name of Fordhouse from the Black Ford of Cree. The said ford was superseded by a bridge built in 1745, which, having been washed away by a flood in 1810, was replaced in 1813 by the handsome granite bridge of five arches now linking the County of Wigtown with the Stewartry of Kirkcudbright. The ford, now disused, impressed itself vividly on the memory of Daniel Defoe, who has the following in his description of Whithorn:

'Proceeding from *Lower Galloway* hither we had like to have been driven down the Stream of a River, though a Countryman went before for our Guide; for the Water swelled upon us as

¹ Macmillan & Co., Ltd., 1916.

² Penkill, formerly Polkill (Poolkill B. in Pont's map of early seventeenth century), being the Gaelic *pol cille*, chapel stream, flowing under the hill whereon stands Minigaff parish church.

.... S.H.R. VOL. XVIII.

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we passed, and the Stream was very strong, so that we were obliged to turn our Horses Heads to the Current, and sloping over, edged near the Shore by degrees ; whereas, if our Horses had stood directly across the Stream, they could not have kept their Feet.' ¹

In his description of Newton Stewart and the village of Minigaff, occupying opposite banks of the Cree, Mr. Dick makes no reference to the name by which the old bridge at Cumloden Mill is popularly known, viz. Queen Mary's Bridge, a title which has received the official sanction of the Ordnance Survey. It may well be that he felt sceptical about Mary Queen of Scots ever having ridden over that narrow arch and declined to commit himself either for or against the tradition, especially as it had become associated with the Queen's flight from the stricken field of Langside in 1568, whereas it is well known that she entered Galloway on that unhappy occasion by way of Dumfries, six-and-thirty miles as the crow flies to the east of Cumloden. I myself, though I have known and spoken of Queen Mary's Bridge since my boyhood, long ago came to regard the name as the mythical offspring of that fond credulity which ever inclines to link ancient and conspicuous objects with historical persons.² I owe it to my friends, Lieut. A. M'Cormick, Town Clerk of Newton Stewart, and Mr. William Macmath of Edinburgh, that my attention has been called to the Roll of Expenses drawn up by Queen Mary's equerry during her progress in 1563, giving a complete itinerary of the tour through Galloway. The document is in excellent preservation ; but, owing to numerous contractions, transcription was more difficult than is usually the case even in dealing with manuscript of the sixteenth century, the hand-writing of that period being more crabbed than that of any other. Moreover, the French scribe made wild shots

¹ *A Tour through the Whole Island of Great Britain*, 3 vols., 1724-5-6. Defoe was in Scotland from 1706 to 1708. It is doubtful whether he actually visited all the places described in this work ; but his description of Galloway bears all the character of personal observation.

² A quaint example of this tendency occurs in connection with Tibbers Castle, a ruined keep standing in the park surrounding Drumlanrig. It is stated in the *Ordnance Gazetteer of Scotland* that the tower 'is supposed to have been built by the Romans and named in honour of Tiberius Cæsar !' Not until I visited the place many years ago did the true origin of the name occur to me. Within the tower is a well so deep and of such steady temperature that the gardener at Drumlanrig uses it, I was informed, for testing and regulating his thermometers. 'Tibbers' is the form which the Gaelic *tiobar*, a well, has acquired among an English-speaking people.

at the names of places in attempting to render them phonetically, and in some cases it has required acquaintance with the topography of the district to identify them. I have to thank Mr. William Angus of the General Register House and Miss Norman for elucidating the sense of many words which had baffled the transcriber of whose services I had availed myself.

Examination of the Queen's itinerary in 1563 strengthens the tradition connecting her name with the old bridge at Cumloden. She was travelling, not as a fugitive as when she escaped to Galloway from Langside five years later, but in considerable state. The passage of herself and suite, with eighteen horses and six baggage mules, would in itself have sufficed to command admiration from the populace ; but when, as was doubtless the case, her personal retinue was swelled by the escort of the barons and lairds through whose lands she passed, each with his armed following, the spectacle was one to create a lasting impression, greatly enhanced in effect by the beauty and grace of the young Sovereign.

On Friday, 13th August, the Queen left Clary, three miles south of Newton Stewart, on her way to Kenmure. If, as is probable, she forded the Cree just above the confluence of the Penkill, she and her train must have ridden over the bridge at Cumloden and taken the direct road (at that time only a pack-horse track) through the pass of Talnotry, across the Dee at Clatterinshaws and so down by the Knocknarling glen to New Galloway. As the glittering cavalcade filed over the narrow arch at Cumloden Mill, the spectacle may well have impressed the spectators in such manner as to cause them to associate the Queen's name with the bridge, and to pass the name down to their children.

So much for the authenticity of Queen Mary's Bridge. Of much greater interest to historians of the district is the entry recording how on Tuesday, 10th August, the Queen, after dining at Glenluce (probably about midday), supped and slept at a place which the French equerry has written ' Coustorne.' It may seem at first sight a strained interpretation to read this as ' Whithorn ' ; but for the following reasons I have no doubt whatever that the reference is to that town.

(1) Whithorn lies twenty miles south-east of Glenluce an easy ride for a good horsewoman like Queen Mary.

(2) There is no other place within a day's journey of Glenluce of which the name bears the slightest resemblance to Coustorne.

(3) In the sixteenth century the name was usually written Quhiterne, with the usual Scottish use of *quh* for *wh*; in the local dialect it is pronounced at this day Hwuttren.

The following entry in the Lord Treasurer's Accounts for the very year in which Queen Mary visited Galloway shows how the name was written officially:

'*Item*, the xvi day of Februar [1562-3] to Thomas Macmabrine, messinger, passand of Edinbrught with lettres of proclamatioun to the mercat croces of Kirkcubbrycht, Wigtoun and Quhithorne, charging all and sindrie our Souerane Ladeis liegis that nane of thame eit flesche in Lentrene, and witht ane command in the samin to all ostlairs, cuikis, flescheouris, tabernais or any uther personis, that thai sell nor prepair na maner of flesche to be sauld, under the pane of confiscatioun of all thair movable gudis xii s.'

The French equerry may very easily have misread the first syllable of 'Quhithorne' in settling a tavern or other bill.

Residents in Whithorn and its neighbourhood, myself included, have assumed (if they ever gave a thought to the matter) that the last monarch to visit Whithorn was James IV. in 1512, the year before his death at Flodden. That monarch, in his frequent pilgrimages to ease his burdened conscience at the shrine of S. Ninian at Whithorn, usually travelled by the route followed by Queen Mary on the occasion under notice, namely, by Ayr, Girvan and Glenluce. It would have been strange if his grand-daughter, a devout Roman Catholic, when traveling by this route had refrained from visiting a place of such extraordinary sanctity, when within a few miles of it. The circumstances of the time, the old religion having been proscribed, would surely tend to render her specially scrupulous in devotion. It may be noted that pilgrimages to the shrines of saints were not prohibited by law till 1568. Probably no town in Scotland suffered so much as Whithorn in consequence of this legislation, seeing that the little burgh had theretofore attracted more pilgrims than any other place in the country.

Subjoined is given the Roll of Expenses during the month of August, with such notes on persons and places as may serve to illustrate the state of the country and society. The only liberties taken with the text consist of the extension of contractions, occasional insertion of punctuation for the sake of clearness, and changing *w* in the MS. to *v*, as in "avene" for "auene."

ROOLE ET DESPENSE de lescurie de la Royne tant de l'ordinaire gaiges d'officiers¹ que aultre despence extraordinairement faicte in icelle escuirie durant le mois d'aoust mil cinq cent soixante trois.

PREMIEREMENT.

Dimanche premier jour dudict mois d'aoust endit an mil v^e lxiij la Royne tout le jour chez le conte deglinton.

Avene pour les hacquenees et mulletz estans lescuirie . Neant
Paille et foin pour lesdits hacquenees et mulletz . Neant
S[omme] de ce jour Neant

The Queen's host on this day was Hugh, 3rd Earl of Eglinton [c. 1530-1585]. He was one of the nobles sent in 1561 to escort Queen Mary from France to Leith. The vessel in which he was a passenger was captured by the English on the return voyage, but, the Queen having escaped the squadron sent out to intercept her, Eglinton and those taken prisoners with him was released soon afterwards. He was one of Queen Mary's foremost adherents.

Lundy ii^{me} jour dudict mois la Royne disner a Eglinton, soupper et coucher a S^t Jehan d'era [Ayr]

Pour quatorze pecques et demye davene
pour la soupee de xvij hacquenees et
vi mulletz a Raison de vj s viij d la
pecque iiij l xvi s viij d
Pour paille pour lesdicts hacquenees et vi
mulletz araison de xiiij d pour demye
journee pour chacun xxviij s
S[omme] davene en argent iiij l xvi s viij d
S[omme] de paille xxviij s.

The Church and Monastery of St. John the Baptist at Ayr was the meeting place of Robert the Bruce's Parliament on 25th April, 1315, when the succession to the throne was settled on his brother Edward. The buildings were enclosed in the fortification erected by Cromwell in 1652, when the ancient church was converted into an armoury and guard room. I do not know whether a lay commendator had been appointed before Queen Mary's visit; but at all events the equerry had to pay for the corn and straw for horses and mules, whereas at Glenluce Abbey a few days later no charge was made.

Mardi iij jour dudict mois, la Royne a St Jehan d'era, pour une bolle trois frelletz² deux pecques avenne pour xvij

¹ The list of officers and their salaries, not being relevant to the expenses of the tour, has not been reproduced here.

² Firlots. A firlot is the fourth part of a boll.

hacquenees et vi mullettz au pris de vi s viij d la pec-	
que	x l/z
Pour paille pour xvij hacquenees et vj	
mulletz a ii s iiij d par jour	lvj s
S[omme] davene en argent	x l/z
S[omme] de paille	lvi s

Mercredy iiij^{me} jour dudict mois, la Royne disner a St Jehan d'era, coucher et soupper a Duneura [Dunure] chez le Conte de Casel.

Pour une bolle ung frelllet demye pecque	
avoine pour la disnee de xvij hacque-	
nees estans a la paile, autres hacquenees	
estans a l'herbe et vj mulletz araison	
de vi s viij d la pecque	cvj s viij d
Pour paille pour lesdits xvij hacquenees	
et vj mullettz araison de xiiij d pour	
ladit demye journee	xxviij s
S[omme] davene en argent	cvj s viij d
S[omme] de paille	xxviij s

Gilbert, 4th Earl of Cassillis, who received the Queen at his principal house at Dunure, cannot have been more than three-or-four-and-twenty at this time. He was a staunch adherent of Queen Mary, fought for her at Langside, and died in 1576 from injuries caused by his horse falling with him.

Jeudy v^{me} jour dudict mois, La Royne tout le jour a Duneura chez le conte de Casel

Avene despencee cedit jour pour les hacquenees	
et mulletz	Neant
Paille pour lesdits hacquenees et mulletz	Neant
S[omme] de ce jour.	

Vendredi vj^{me} jour dudict mois, la Royne chez Mons. le Conte de Casel a Duneura

Avene	Neant
Paille	Neant
S[omme] de ce jour	Neant

Samedy vij^{me} jour dudit mois, La Royne disner a Duneure, soupper et coucher a Ermelan. [Armillan.]

Avene et paille	Neant
S[omme] de ce jour	Neant

Armillan was in possession of Thomas Kennedy, a cadet of the Earl of Cassillis's powerful clan.

Dymanche viij^{me} jour dudit mois, La Royne disner a Ermelan et soupper a Arstinchel. [Ardstinchar.]

Avene pour les hacquenees et mulletz	.	.	.	Neant
Paille pour les hacquenees et mulletz	.	.	.	Neant
S[omme] de ce jour	.	.	.	Neant

Ardstinchar whereof the picturesque ruins stand on a steep bluff on the right bank of the Stinchar at Ballantrae was a stronghold of Kennedy of Bargany. The acquisition of the land by Sir Hugh Kennedy in the fifteenth century and the building of the castle is told so quaintly by the anonymous author of *The Historie of the Kennedyis* that I am tempted to quote it here :

‘The Hous of Balgany cam to thair preferment be the valour of ane secund broder, quha wes first putt to haue bein ane Freir ; bot his curage [being] not agreabill to sa base an office, [he] lost the same and passitt with the Laird of Blaquhane [Blairquhan] to France to Chairllis the VII., in the yeir of our Lord 1431. He was callit Freir Hew, and was for his valour so beluiffit of the King of France that he remaynit with him mony yeiris thairefter, and went with him to the Holy Land. And at his returning he resavitt word that his broder the Laird of Bargany was deid. Quhairupone he tuik leiff of the King of France, and gott, in recompense of his seruice mony gritt rewairdis of gold and mony ; and abuiß all, he gaiff him leiff to weir airmiss [arms] quarterly in his airmis, to wit, flour-de-lyse, quhilk that hous weiris to this day.

‘He com to Scotland and bocht the ten pund land of Arstensar, and buildit the hous thairof, and conqueist mony ma landis be the benefeitt off the stipend of the King of France. This Freir Hewis oy [grandson] wes callit ‘Com with the penny,’ quha conquesit [acquired] the grittest pairt off all the lewing, quhilk now is ane gritt rent.’

Lundy ix^{me} jour dudit mois dudit an La Royne disner a Arstinchel, soupper et coucher a Glainleux. [Glenluce.]

Avene despencee cedit jour pour les hacquenees et mulletz	.	.	.	.	.	Neant
Paille pour les dits hacquenees et mullettz	.	.	.	.	.	Neant
S[omme] de ce jour	.	.	.	.	.	Neant

Queen Mary lay at the Abbey and Monastery of Glenluce, not in the village of that name. Thomas Hay of the family of Park had been appointed Abbot by Pope Pius IV., but was refused entry by John Gordon, Lord of Lochinvar, who occupied the buildings by force, after expelling the monks. Gordon was acting in virtue of a charter of feu-farm granted him by a former abbot on 31st January, 1557-8. The dispute was submitted by agreement of parties to the arbitration of Lord James Stewart (afterwards Regent Moray), who decided in favour of Abbot Thomas, reserving to Gordon the old by-run duties

of the Abbey. In the following year, however, 1561, Gilbert, 4th Earl of Cassillis, was appointed Heritable Baillie of the Abbey, and no doubt he was Queen Mary's host and discharged the equerry's expenses, although Abbot Thomas and ten monks were still in residence.

Mardy x^{me} jour dudict mois, la Royne disner a Glainleux, soupper et coucher a Coustorne. [Whithorn.]

Avene despencee comme dessus	.	.	.	.	Neant
Paille	.	.	.	.	Neant
S[omme] dece jour	.	.	.	.	Neant

The Rev. John Anderson, formerly curator of the Historical Department of the General Register House, Edinburgh, Mr. William Angus, now in that Department, Dr. Hay Fleming and myself, all concur in the conclusion that 'Coustorne' is the equerry's attempt at Whithorn or Quhithorn; that indeed no other place can have been intended. The Prior of Whithorn at this time was Malcolm Fleming, second son of the 2nd Earl of Wigtown. He would naturally have been the Queen's host on the occasion of her visit; but it is doubtful whether he was present, because on 19th May preceding he had been tried, together with forty-six other clergy and laymen, before the High Court of Justiciary in Edinburgh, and, having been convicted on his own confession of celebrating mass at Congleton in the month of April, was sentenced to ward in Dunbarton Castle (Pitcairn's *Criminal Trials*, vol. i. part i. p. 428). He was afterwards removed from the priorate, and died in 1569.

Mercredy xi^{me} jour dudit mois, la Royne disner a Coustorne, soupper et coucher a Clery chez mons. de Garliz.

Avene despence cedit jour pour les hacquenees et mullettz	.	.	.	.	Neant
Paille despence comme dessus	.	.	.	.	Neant
S[omme] de ce jour	.	.	.	.	Neant

Clery, now written Clary, was the residence attached to the see of Candida Casa—the Bishop of Whithorn's palace, in short—whence the name, from the Gaelic *clerech*, clergy. There was at this time no Bishop of Galloway. Alexander Gordon, a younger son of John, Master of Huntly, by Jane Drummond, natural daughter of James IV., had been appointed titular Archbishop of Athens in 1551, Bishop of the Isles in 1553, and Bishop of Galloway in 1558. But in 1560 he renounced the Church of Rome, and joined the Reformed Church, being hailed by Knox as the only consecrated prelate who did so. Gordon hoped, no doubt, that he would continue to administer the diocese of Galloway; but on 30th June, 1562, the General Assembly refused to recognise him as superintendent of that see until "the Kirks of Galloway craved him." Thereafter he was recognised only as the Assembly's Commissioner for Galloway. In 1568 the Assembly inhibited him from "any function in the Kirk." He died at Clary in 1575.

Alexander Stewart, younger of Garlies, who received Queen Mary at Clary, direct ancestor of the Earls of Galloway, was a leading adherent of the Reformation. Nevertheless, he seems to have won Queen Mary's favour, for on the occasion of her marriage to Darnley in 1565, Stewart received knighthood from the royal bridegroom, who presented him with a silver comfit box (still in possession of the present Earl of Galloway) engraved with the words—'The Gift of Henry, Lord Darnley, to his cousin Sir Alexander Stewart of Garleis.'

Jeudi xii^{me} jour dudit mois, la Royne tout le jour a Clery chez mons. de Garliz.

Avene despencee cedit jour pour lesdits hacquenees et mulletz	Neant
Paille pour lesdits hacquenees et mulletz	Neant
S[omme] de ce jour	Neant

Vendredi xiiij^{me} jour dudit mois, la Royne disner a Clery, soupper et coucher a Quinemur chez Mons. de Locquenar.

Avene despencee cedit jour pour les hacquenees et mullettz estans en lescurier	Neant
Paille pour lesdits hacquenees et mulletz	Neant
S[omme] de ce jour	Neant

In the original MS. the name Quinemur presents a puzzling appearance owing to the first syllable being written at the end of one line and the second at the beginning of the next. It represents Kenmure, the residence of Sir John Gordon of Lochinvar, Justiciar of Eastern Galloway and grandfather of the 1st Viscount Kenmure.

Samedy xiiij^{me} jour dudit mois, la Royne tout le jour a Quineur chez Mons. de Locquenar.

Avene despencee cedit jour pour les mulletz et hacquenees	Neant
Paille pour les hacquenees et mulletz	Neant
S[omme] de ce jour	Neant

Dimanche xv^{me} jour dudit mois, la Royne disner a Quinemur, soupper et coucher a S^{te} Mere esle chez le tresorier.

The Prior of St. Mary's Isle was Robert Richardson, his appointment being dated 31st March, 1559. As Prior he was entitled to sit as a lord of Parliament, and in March 1560-1 he was appointed Lord High Treasurer of Scotland. He acquired great wealth, to which his two natural sons succeeded. A few months after he had the honour of entertaining his Sovereign at St. Mary's Isle, Randolph, writing to Cecil on 31st December, has the following :

'For newes yt maye please your Honor to knowe that the Lord Treasurer of Scotlande, for gettinge of a woman with chylde, muste, upon Sondaye next, do open penance before the whole Congregation, and M^r Knox mayke the sermone. Thys my Lorde of Murraye

wylled me to wryte unto your Honour for a note of our griate severitie in punyshinge of offenders.'

Lundy xvi^{me} jour dudit mois, La Royne disner chez levesque de Galloua, soupper et coucher a S^{te} Mere esle chez le tresorier.

Avene pour les hacquenees et mulletz Neant

Paille pour les hacquenees et mulletz Neant

S[omme] de ce jour Neant

Mardy xvij^{me} jour dudit mois, La Royne tout le jour a S^{te} Mery esle chez le tresorier.

Avene pour les hacquenees et mulletz Neant

Paille pour les hacquenees et mulletz Neant

S[omme] de ce jour Neant

Mercredy xvij^{me} jour dudit mois, La Royne disner a S^{te} Mere esle, soupper et coucher a Domfric chez Maistre Mazouel.

Avene pour les hacquenees et mulletz Neant

Paille pour les dites hacquenees Neant

S[omme] de ce jour Neant

The person here referred to as 'Maistre Mazouel' was Sir John Maxwell of Terregles, second son of Robert, 5th Lord Maxwell, and afterwards 4th Lord Herries. 'He was tutor to two of his nephews who, as minors, successively inherited the estates and titles of the house of Maxwell, and being to them, and also for a time to his own brother, presumptive heir, he was often designated Master of Maxwell' (Fraser's *Book of Carlaverock*, i. 497). At the time of Queen Mary's visit he was Warden of the West Marches. Five years later, as Lord Herries, he commanded the royal cavalry at the battle of Langside, and with the Lords Fleming and Livingstone, escorted the Queen from the field. They rode all night, arriving at Sanquhar in the early morning, whence they went on to Lord Herries's house of Terregles.

Jeudy xix^{me} jour dudit mois, La Royne tout le jour a Domfric chez Maistre Mazouel.

Avene pour les mulletz et hacquenees despence ce jour Neant

Paille pour les dites hacquenees Neant

S[omme] de ce jour Neant

Vendredy xx^{me} jour dudit mois, La Royne tout le jour a Domfric chez Maistre Mazouel.

Avene pour les hacquenees et mulletz Neant

Pour paille pour les dites hacquenees et mulletz Neant

S[omme] de ce jour Neant

Samedy xxi^{me} jour dudit mois, La Royne disner a Domfric et soupper a Domblanric [Drumlanrig]. Cedit jour

Tour of Mary, Queen of Scots

11

Maistre Mazouel a faict present dune hacquenee a la Royne.

Avene despencee cedit jour pour les hacquenees et mulletz	Neant
Paille pour lesdites hacquenees et mulletz	Neant
S[omme] de ce jour	Neant

Sir James Douglas of Drumlanrig was a prominent figure in the politics and polemics of the sixteenth century. Born in 1498, he survived till 1578. He was a supporter of the Reformation and was warded in 1566 as an accomplice in the murder of Riccio. He was the great-grandfather of the 1st Earl of Queensberry.

Dymanche xxij^{me} jour dudit mois, La Royne tout le jour a Domblanric.

Avene despencee cedit jour pour les hacquenees et mulletz	Neant
Paille pour les dits hacquenees et mulletz	Neant
S[omme] de ce jour	Neant

Lundy xxij^{me} jour dudit mois, la Royne disner a Domblanric, soupper et coucher a Crafurgeon [Crawfordjohn].

Une bolle, ung frelllet, une pecque avene pour la souppee de xix hacquenees vj mulletz et xii hacquenees estans a lherbe au pris de vj s viij d	ciij s iiij d
Pour paille pour xix hacquenees et vi mulletz a raison de ij s iiij d par jour	xxix s ij d

The barony of Crawfordjohn was acquired in 1530 by Sir James Hamilton of Finnart—the ‘Bastard of Arran’; but it reverted to the Crown on his arraignment and execution for alleged treason in 1540. It is believed that the old castle of Crawfordjohn was no longer in existence at the time of Queen Mary’s visit, having been used as a quarry to supply material for building Boghouse, a mansion erected by James V. for one of his many mistresses, a daughter of the Captain of Crawford (*Origines Parochiales*, i. 163). As this lady afterwards married the laird of Cambusnethan, Boghouse probably stood ready to receive Queen Mary on her travels. At all events she did not have the expenses of her horses and mules defrayed at Crawfordjohn, as it was the privilege of those of her subjects whom she honoured by a visit.

Mardy xxiiij^{me} jour dudit mois, La Royne disner a Crafurjeon, soupper et coucher a Coldily.

Pour une bolle ung frelllet une pecque pour xix hacquenees, vi mulletz et xii autres hacquenees estans a lherbe au pris de vj s viij d	ciij s iiij d
--	---------------

Pour paille pour les dits xix hacquenees et
vj mulletz a Raison de ij s iiij d pour
demye journee de chacun xxix s ii d

Mercredy xxv^{me} jour du dit mois, La Royne a Codily [Cowthally]
chez monsieur Semeruel.

Avene despencee ce jour pour les mulletz et hacquenees Neant
Paille pour lesdits mulletz et hacquenees Neant
S[omme] de ce jour Neant

Cowthally, now a sheer ruin standing near a dreary moss about a mile and a half north-west of Carnwath village, was the chief residence of the powerful house of Somerville. The owner thereof in 1563 was James, 5th Lord Somerville, who afterwards led 300 of his men to join Queen Mary's forces at Langside. It is said that so princely was the establishment maintained at Cowthally that when James VI. was on a visit there he suggested that the name should be changed to 'Cow-daily,' forasmuch as a cow and ten sheep were slaughtered daily to supply the household.

Jeudy xxvj^{me} jour dudit mois, La Royne disner a Codily, soupper
et coucher chez monsieur Descrelin [Skirling]

Avene despencee ce jour Neant
Paille aussi despencee cedit jour Neant
S[omme] de ce jour Neant

Sir William Cockburn of Skirling was a staunch adherent of Queen Mary, who appointed him keeper of Edinburgh Castle in 1567. Skirling Castle, about 2½ miles east north-east of Biggar, was demolished in 1568 by order of the Regent Moray.

Vendredy xxvij jour du dit mois, la Royne disner a Escrelin,
soupper et coucher a Pibles.

Pour une bolle, ung frelllet, deux pecques
avene pour la souppee de xxxi hacque-
nees, tant a la paille q'a l' herbe,¹ vj
mulletz au pris de vj s viij d la pecque ciij s iiij d

Pour paille pour les dits mulletz [et] xix
hacquenees, a raison de ij s iiij d par
jour pour chacun xxix s ij d
S[omme] d'avene ciij s iiij d
S[omme] de paille xxix s ij d

The Queen probably lodged at her own charges in the royal castle of Peebles, the last crowned head that was to lie there being Henry Darnley, whom, according to Buchanan, she sent there in 1565 in order to keep him out of the way (*History*, xvij, cap. li.)

¹ 'Both those in stalls and those at grass.' The Queen's train had been increased; the number of horses, originally 16, had risen to 31.

Samedy xxviiij^{me} jour dudit mois, la Royne disner a Pibles, soupper et coucher a Bortic [Borthwick].

Pour trois frelletz trois pecques et demye
avene pour la disnee de xix hacquenees
et vi mulletz au pris de vj s viij d ciiij s iiij d

Pour paille pour lesdits xix hacquenees
et vj mulletz a raison de compte en la
journee preceddante xxix s ij d
S[omme] davene en argent ciiij s iiij d
S[omme] de paille xxix s ij d

This was not the first, nor yet the last, visit which Queen Mary paid to Borthwick Castle. She was there as the guest of John, 6th Lord Borthwick, on 12th January, 1662, and five years later, in June 1667, she and Bothwell were beleaguered there by the Lords Morton, Mar, Home and Lindsay, escaping in disguise by night with Bothwell to Dunbar.

Dymanche xxix^{me} jour dudit mois, la Royne tout le jour chez monsieur de Bortic.

Avene despencee cedit jour pour les mulletz et
hacquenees Neant
Paille pour lesdicts mulletz et hacquenees despencee
cedit jour Neant
S[omme] de ce jour Neant

Lundy xxx^{me} et penultime jour du dict mois, la Royne disner a Bortic, soupper et coucher chez monsieur d'aousy [Dalhousie].

Avene despence ce jour Neant
Pour paille Neant
S[omme] de ce jour Neant

George Ramsay, grand uncle of the 1st Lord Ramsay of Dalhousie (whose eldest son was created Earl of Dalhousie in 1633), received his Sovereign in the fine castle of Dalhousie, *aliter* Dalwolsy, which stands on a wooded bluff about two miles and a half south-west of Dalkeith.

Mardy xxxi^{me} et dernier jour dudit mois daoust, La Royne disner a daousy, soupper et coucher a Roscelin.

Avene despence cedit jour Neant
Paille despence pour lesdicts hacquenees et mulletz Neant

The Sinclairs of Rosslyn were great builders, and Queen Mary's host on this occasion, Sir William Sinclair, made important additions to the castle which he had inherited (see M'Gibbon and Ross, *Castellated and Domestic Architecture of Scotland*, iii. 366-376).

HERBERT MAXWELL.

The Economic Position of Scotland in 1760

OUTSTANDING dates, marking the happening in time of great events, play but a small part in economic history. Change and movement in economic life are almost invariably the cumulative result of causes deeply rooted in the past, the effects of which, however, stretch far into the future. There is an essential continuity in economic development which makes it impossible to write down certain changes as commencing in certain years, or to confine the extent of the operation of these changes within definite historic periods. In the history of the material development of Scotland, however, there is a sense in which the year 1760 is of peculiar importance, as indicating a real turning point in the economic fortunes of the country.

The economic position of Scotland in 1760 may be viewed from two distinct standpoints. According as we adopt the one or the other, the resulting picture is entirely different.

Thus from one point of view, it is possible to represent Scotland as enjoying in 1760 a period of almost unexampled economic prosperity. Contemporary writers make much of 'a capital era which has given new life to industry and enterprise of every sort.'¹ 'A spirit of industry and activity has been raised and now pervades every order of men,' while 'schemes of trade and improvement are adopted, and put in practice, the undertakers of which would in former times have been denominated madmen.' 'Every person is employed, not a beggar is to be seen in the streets, the very children are busy.'² In point of results, it was possible to show as general indications of economic progress, a fivefold increase in the linen industry of the country within a period of little over thirty years,³ and since

¹ J. Ramsay, *Scotland and Scotsmen in the 18th Century*, ii. p. 213.

² J. Gibson, *History of Glasgow*, pp. 120, 115.

³ A. J. Warden, *Linen Trade Ancient and Modern*, p. 480.

the Union, a like expansion in shipping¹ the concomitant of a trebled export trade.²

By way of explanation we must turn to the gradual removal in the course of the eighteenth century of causes which had for long hampered economic development. In this connection the Union of 1707 occupies a position of first importance, as marking the end of that dissension with England, which for centuries had made wars the chief trade of the country,³ but which after the political union of 1603, and especially towards the end of the seventeenth century, had appeared in the guise of an acute form of economic friction no less disturbing. In 1707 Scotland became linked up with her natural economic ally in a real economic, as distinct from a merely political union. At one stroke great markets in England as well as in the West were opened to her. To these she quickly responded, first with a growing trade and commerce, later with an expanding manufacture.

But Scotland still lacked any real unity within herself. Little progress was possible under conditions where the grace of Highland chieftains was 'Lord ! Turn the world upside down that Christians may make bread out of it.'⁴ The failure of the 'Fifteen, however, and subsequently of the 'Forty-Five, while in large measure due to a growing recognition of material interests, in turn gave a new stimulus to economic life. The legislative acts following on those risings, and the road building which enabled the rapid movement of troops to keep order, destroyed the last relics of feudalism, established the authority of law, and so created security at home, in the absence of which sustained economic effort was impossible.

There was also the removal of certain retarding influences of religion. While the disturbing economic effects of religious controversy accompanied by physical conflict had ceased in the course of the seventeenth century, tendencies of a similar if less obvious kind continued to operate in the eighteenth. A later writer, perhaps not altogether understanding, professed amazement at a species of wildness inducing a people to prefer field preaching to beneficial industry.⁵ If a day was to come when in place of religion as the commerce of chief cities, commerce was

¹ G. Chalmers, *Caledonia*, ii. p. 883 ; iii. p. 53.

² G. Chalmers, *Domestic Economy of Great Britain and Ireland*, pp. 390, 392.

³ P. Lindsay, *Interest of Scotland Considered*, p. 82.

⁴ T. Pennant, *Tours*, 1772, i. p. 400.

⁵ G. Chalmers, *Caledonia*, vi. p. 605.

to be the chief religion,¹ in the early part of the century that time was not yet. A prepossession with affairs religious, with the general merits or demerits of which on other grounds we are not immediately concerned, did tend to check economic development by giving birth to sectional disputes, and by representing treasures on earth as matters of none account. The material progress, however, which followed on the Union, to be greatly accelerated after the 'Forty-Five, went far to tone down the bitternesses of religious controversy, and to produce broader conceptions and outlook in general. There was a striving to darn and patch the rags and rents of ecclesiastical dispute.² The mid-eighteenth century saw the rise of the 'Moderates' to a position of predominance in the Church—a party aiming of set purpose at taking an active part in the promotion of every scheme of practical improvement, and accepting as a Christian duty the advancement of the material wealth of the nation.³

In all these ways historic influences which had erected obstacles in the path of economic progress tended to disappear. The economic prosperity of Scotland in 1760 was the natural outcome of the creation of conditions making a vigorous economic life possible.

After all, however, this 'happy state of North Britain' had little meaning except when viewed against the somewhat sombre background of the past. Historically the economic poverty of Scotland had become in large part a byword, almost a tradition, 'Mice, were they a commodity, Scotland might boast on't!'⁴ In this respect the early eighteenth century had seen no breaking with the past. Here was a land 'the most barren of manufactures of any nation in these parts of Europe.'⁵ 'Money was not the growth of the country.'⁶ No one in the light of past achievement could fail to appreciate the relative economic prosperity of 1760. But from another point of view Scotland was still poor. Even later years were to find her still in 'languishing'⁷ condition, her 'abject poverty and mean obscurity'

¹ T. Pennant, *Tours*, 1772, i. p. 152.

² *Ibid.* p. 117.

³ H. Craik, *A Century of Scottish History*, ii. p. 386.

⁴ P. Hume Brown, *Early Travellers in Scotland*, p. 201.

⁵ *A short view of some probable effects of laying a duty on Scotch linen imported*, 816 m. (53) Brit. Mus.

⁶ *Ibid.*

⁷ D. Loch, *Essays on the trade, commerce, manufactures, and fisheries of Scotland*, i. p. iv.

comparing ill with 'the opulence and dignity of her sister kingdom,'¹ her revenue, according to one writer, burdensome to the people, yet comparatively so very inconsiderable to that of England, that had it been ruled out altogether the deficiency would scarce have been observable.² These were no doubt the statements of individuals who had each his peculiar axe to grind, still figures establish the general soundness of the conclusions. It is difficult, of course, to compare the relative economic position of England and Scotland at this time, on account of differences in size and population, while comparisons with subsequent expansion tend to be misleading, in view of the fact that the whole content of economic life was later to be changed ; still taking figures of shipping and exports³ as at least rough general indications of economic prosperity, and making all necessary allowances, the poverty of Scotland in 1760 compared either with the England of the day or with her own future development stands out quite unmistakably.

It is of first importance to observe that the economic development of Scotland from 1707 to 1760 took place in the main along existing lines. What expansion there was, being essentially the result of the creation of conditions making a smooth working of the existing economic organization possible, no violent upheaval was necessarily involved in the nature of that organization as such. There may have been at times indications that an expanding economic life would devise new forms for itself, but on the whole it is true to say that the striking contrast between 1707 and 1760 lay in the extent of the structure which had been reared on the foundation, rather than in any change in the nature of that foundation itself. This fact is of peculiar significance. To interpret the nature of the economic organization of 1760 is to explain the causes of the relative economic poverty of Scotland at that date.

In the scheme of economic life, as it then was, not only did agriculture figure as the main industry, but it was in large part

¹ *Ibid.* p. ix.

² J. Knox, *View of the British Empire, more especially Scotland*, i. p. 107.

³ Tonnage of Scotland, 1760, 53,913 tons, G. Chalmers, *Caledonia*, v. p. 16 ; Tonnage of England, 1760, 573,978 tons, G. Chalmers, *Estimate of the Comparative Strength of Great Britain*, p. 234 ; Tonnage of Scotland, 1820, 288,770 tons, G. Chalmers, *Caledonia*, v. p. 16 ; Value of Scottish Exports, 1760, £1,086,205 ; Value of English Exports, 1760, £14,694,970, G. Chalmers, *Domestic Economy of Great Britain and Ireland*, pp. 166-7 ; Value of Scottish Exports, 1820, £5,894,778, G. Chalmers, *Caledonia*, v. p. 14.

upon an agricultural basis that the whole economic organization of the time might be said to turn. How far this was so may be appreciated in different ways.

Thus in the case of the textile industries a close and intimate relation existed in several ways between the operations of manufacture and those of agriculture.

First of all there was the dependence of these industries on agriculture for their raw materials. At this period woollen and linen were the chief textile manufactures.¹ The latter was far and away the more important, being in fact to Scotland in 1760 what wool was to England at the same date. The point of importance, however, is that the raw material of both was produced at home in the ordinary course of agriculture. Small spots of flax were to be seen on every farm, while most of the inhabitants reared sheep for their wool.² Flax was indeed imported to some extent, chiefly from Holland and the Baltic.³ The Board of Manufactures, however, had always been at pains to promote through the granting of premiums, the production within the country of the raw material of the linen industry. The reduction of the consumption of foreign flax was represented as a desirable object.⁴ If the end aimed at was not altogether achieved, the contrast with the state of affairs which was subsequently to exist in the case of the cotton industry, was nevertheless in almost all respects complete.

But there was a closer connection still. The labour employed in manufacture was to a very large extent the same as that engaged in agriculture. This state of affairs was rendered possible by the nature of the existing organization of the textile industries. With the various forms in which that organization manifested itself, we are not immediately concerned. No matter what basis of classification we adopt, let it be the degree of dependence or independence of the capitalist producer, or the extent to which production was carried on for sale or for household consumption, in almost all manufacture is found to take place within the home and to be in fact 'domestic.' This, of course, could be only where the spinning-wheel and the hand-loom were the typical

¹ *Some Notices of the Principal Manufactures of the West of Scotland*, p. 183.

² *Statistical Account*, vii. p. 252.

³ R. Pococke, *Tours*, p. 214; C. Cordiner, *Antiquities and Scenery of the North of Scotland*, p. 50; *Statistical Account*, x. p. 190; D. Bremner, *Industries of Scotland*, p. 226.

⁴ Lord Kames, *Progress of Flax Husbandry*, pp. 13-14.

instruments of production. Instances of factory organization in the form of loom-shops, established with a view to the more effective supervision of work, could be dated from the seventeenth century¹ and were moderately frequent throughout the eighteenth,² but where manufacturing operations were carried on without the aid of power, the chief incentive to that form of organization was lacking, and the household continued the typical unit of production. It was under these conditions that the textile industries were to be found as scattered as the source of the raw material,³ while the raisers of that raw material played an important part in the subsequent processes of manufacture.

Thus the preparation of flax and wool for manufactures was a recognised part of farmwork.⁴ Lint fibre was pulled, rippled, steeped, beetled, scutched and heckled on the farm.⁵ But not only so. Once prepared it was later worked up by hands obtained from the ranks of agricultural labour, or from those who, if not strictly agricultural workers, yet relied for part at least of their livelihood upon the products of the soil. Thus spinning was carried on concurrently with agricultural pursuits. Farmers engaged female servants who could spin,⁶ and who were aided in their work by the farmers' families themselves.⁷ Men were employed not only to assist in the harvest, but also to work up the yarn spun by the family.⁸ Farmers had weaving shops in which they employed weavers, and they often wove themselves.⁹ Weavers were frequently crofters, every householder having a workshop attached to his dwelling, while he rented a large garden and a considerable croft and kept a cow.¹⁰ A district divided into crofts and small possessions was considered specially favourable for the establishment and growth of manufactures.¹¹ Spinning and weaving came to be regarded as a useful means of

¹ A. M'Lean, *Local Industries of Glasgow*, p. 136.

² D. Bremner, *Industries of Scotland*, pp. 193-4, 199, 227.

³ Of the thirty-two counties of Scotland, in 1758 only three showed no production of linen. A. J. Warden, *Linen Trade Ancient and Modern*, p. 478.

⁴ A. Wight, *Present State of Husbandry in Scotland*, i. pp. 91-2 ; Lord Kames, *Progress of Flax Husbandry*, pp. 17-18.

⁵ A. M'Lean, *Local Industries of Glasgow*, p. 137.

⁶ W. Jolly, *James Duncan, Weaver and Botanist*, p. 28.

⁷ *Statistical Account*, xi. p. 604.

⁸ W. Jolly, *op. cit.* p. 69.

⁹ *Ibid.* pp. 82, 116.

¹⁰ *Ibid.* p. 26.

¹¹ *Statistical Account*, xii. p. 112.

eking out the miserable returns from agriculture¹ and of paying the rent of small possessions.² Time was divided between the two employments,³ manufacture, however, as a rule claiming only such hours as were left over from the labours of the field.⁴ Even where manufacture might appear the main interest, there was no clear separation or differentiation. Tradesmen were essentially husbandmen also, at certain seasons throwing over their trade and taking to agriculture, so as to make it difficult if not impossible to determine to which profession they belonged.⁵ On the whole it would appear that in this collateral relation of agriculture and manufacture the former played the chief part, the latter being relegated to the secondary position of a useful bye-employment.

We see then the manner in which that independence of power, which was one of the chief features of the organization of the textile industries in 1760, made possible not only a domestic system of production, but also, as a direct result, the formation of a close alliance between agriculture and manufacture. This independence of power, however, meant something more. It meant in turn an independence of coal and iron. It is here that we have emphasised from a negative stand-point, as it were, the relative importance of agriculture. Economically, as we shall see, it was of as much if not more importance to Scotland that the textile industries showed an independence of coal and iron, as that they revealed a direct dependence on agriculture in other respects.

The history of the early iron industry of Scotland to the beginning of the seventeenth century is largely a matter of conjecture. Slag remains are still to be found in many counties,⁶ indicating apparently an ancient manufacture of iron. Ore of local origin in the form of bog-ore—ore appearing on the surface of the earth in a concreted state⁷—would seem to have been used.⁸ The first really historic iron-work dates from the beginning of the seventeenth century.⁹ In the course of the eighteenth

¹ Agriculture of Dumbartonshire Reports, ii. p. 14.

² *Statistical Account*, xi. p. 182 ; xii. p. 581.

³ *Ibid.* vi. p. 360 ; xi. p. 263 ; xx. p. 476.

⁴ *Ibid.* vii. p. 208 ; xi. pp. 271-2.

⁵ *Ibid.* vii. p. 180 ; xii. p. 115 ; xi. p. 564.

⁶ I. Macadam, *Notes on the Ancient Iron Industry of Scotland*, pp. 96-103.

⁷ J. Williams, *Natural History of the Mineral Kingdom*, i. p. 375.

⁸ I. Macadam, *op. cit.* p. 94.

⁹ *Ibid.* p. 109.

century several works sprang up in the wooded highlands of the north and west.¹ The presence of wood as fuel, and not the existence of native ores was the determining factor in the localization of these works. One of their main features, in fact, was the employment in smelting, of ores mainly imported from England.² It is not to be imagined, however, on that account that, apart from bog-ores Scotland had no ordinary iron ores of her own. Historic mention is made of abundance of iron ore in Sutherlandshire, 'of which the inhabitants make good iron.'³ In 1613 the export of iron ore from Scotland was prohibited.⁴ These, of course, may merely be references to bog-ore. At Edderton, Ross-shire, however, a deep hole is supposed to indicate the position of a quarry from which iron was extracted.⁵ The first historic iron-work in the country had a mine at hand wrought by English miners.⁶ Ore for an iron-work at Abernethy was got from a mine at Tomintoul.⁷ At Invergarry native haematite was said to have been used.⁸

It would appear nevertheless that there were very few instances of iron-mines known to have been worked in Scotland.⁹ Long before 1760 the works where local ores had been employed were extinct.¹⁰ In that year iron-smelting was carried on at two centres¹¹ only, and at both these with ores imported from England.¹² Under these circumstances it is not surprising to find that the Bishop of Meath travelling in Scotland in 1760 has little to say of iron, except that it is 'supposed to be found,' or 'probably abounds,' in certain out-of-the-way places which have had no subsequent iron history.¹³ No mention is made of iron-mining though notice is taken of an attempt to make use of local ore which, however, had not answered in the smelting.¹⁴ Thus in 1760 the local ores of Scotland were virtually unknown,

¹ *Ibid.* Invergarry, 1730, p. 124 ; Bunawe, 1730, p. 124 ; Abernethy, 1730, pp. 126-7 ; Goatfield, 1754, pp. 129-10.

² *Ibid.* pp. 113, 124, 129-30.

³ D. W. Kemp, *Notes on Early Iron Smelting in Sutherland*, p. 15.

⁴ I. Macadam, *op. cit.* p. 112.

⁵ *Ibid.* p. 102.

⁶ *Ibid.* p. 105.

⁷ *Ibid.* pp. 127-8.

⁸ *Ibid.* p. 124.

⁹ *Ibid.* p. 94.

¹⁰ *Ibid.* pp. 112-3, 128.

¹¹ *Ibid.* First historic works at Letterewe probably extinct before 1660, p. 112 ; Invergarry soon ceased to work, p. 90 ; Abernethy ceased working 1739, p. 128 ; Goatfield and Bunawe in 1886 only a few years blown out, p. 90.

¹² *Ibid.* pp. 129, 130.

¹³ R. Pococke, *Tours*, pp. 93, 137.

¹⁴ *Ibid.* p. 25.

and certainly unused in the production of iron. What iron smelting there was, was conducted on a most insignificant scale with ores imported from England.

If in 1760 Scotland depended almost wholly on English ores for her iron smelting works, it would appear also that till well on in the eighteenth century, she relied mainly on the same source for a large part of her supply of hardware.¹ At this date Scotland did indeed possess some trade of her own in manufactured iron. The raw materials, however, in the form of bar-iron were furnished on this occasion by importation, chiefly from Sweden and Russia.² Holland in one instance provided a nail manufactory of one of the Eastern Counties with the old iron requisite for the pursuance of that trade.³ Iron was a common import at the most insignificant ports.⁴ The extent of the trade could be judged from its position in Glasgow, the subsequent economic fortunes of which were to be so intimately bound up with the production and manufacture of iron. The trade there dated from 1732, having arisen largely in response to a demand for agricultural implements from the new markets of the American Plantations.⁵ The paltry nature of the industry was its most striking feature. In 1750 the iron consumed by Glasgow was no more than 400 tons.⁶ In 1777, 500 tons was considered a large figure by a historian of the city at that date.⁷ It was a humble trade indeed which could hail a project for the production of iron toys as a promising outlet for expansion.⁸ The two branches of the iron trade at this period reveal alike in their insignificance and dependence on outside sources for their supply of raw materials, a very close degree of correspondence. The condition of both bespeaks a time where the whole framework of economic life was different from what it was later to become, and where more especially, there was no demand for iron as the raw material of machines.

With the coal trade of 1760 the position was somewhat different. Lack of development was here by no means so

¹ *Case of the Linen Manufacture of Scotland*, p. 1, 1887, b. 60 (38) Brit. Mus; *Present State of Scotland Considered*, p. 49, 8227 aa. 44 (3) Brit. Mus.

² J. Rae, *Life of Adam Smith*, p. 93.

³ *Statistical Account*, xii. p. 514.

⁴ R. Pococke, *Tours*, passim.

⁵ J. Gibson, *History of Glasgow*, p. 242; G. Stewart, *Progress of Glasgow*, pp. 70-1.

⁶ J. Rae, *op. cit.* p. 93.

⁷ J. Gibson, *op. cit.* p. 242.

⁸ *Ibid.* p. 249.

complete. Thus if Pococke travelling in that year found little to say of iron, he makes frequent reference to coal. Certain country near Glasgow he mentions as 'full of coals'; at Leven he passed 'some great coal pits and the wagon roads from these to the sea'; Alloa was 'a very disagreeable coal town'; Dysart had 'great collieries.'¹ Considerable activity then would appear to have been shown in the production of coal. The picture, however, is in some measure misleading, as may be seen from considering the nature and extent of the coal-working of the time. The successive stages through which methods of coal-getting pass, from the digging of superficial supplies or outcroppings to the sinking of shafts measure in some degree, response to growth of demand and indicate also, progressive steps in the development of mining. The fact that even subsequent to 1760 outcroppings were still being worked, throws an interesting light on the existing state of coal production.² No less so does the shallow nature of the shafts then in use. The 'great collieries' of Dysart were at this period worked only to a depth of 25 fathoms.³ Even thirty years later a pit of sixty fathoms was considered beyond a moderate depth,⁴ while some were as shallow as three.⁵ The flooding of mines, for long the bugbear of mine-masters, proved the chief obstacle to deeper workings.⁶ The small extent to which mechanical devices were employed to overcome this difficulty is suggestive. Rude machines worked by hand, horse, wind or water power had early been tried.⁷ The success of these efforts, however, was limited.

Steam was first employed in Scotland 'to raise water by fire' probably some little time previous to 1719, at which date it is recorded the second steam engine used for that purpose was erected.⁸ These engines, however, were not generally adopted. The first steam engine in the Glasgow district was not built till 1763.⁹ The Statistical Account has many references to steam engines as having been constructed for the first time in various mines for the purpose of raising water, at dates subsequent to

¹ R. Pococke, *Tours*, pp. 60, 276, 290, 281.

² *Statistical Account*, v. p. 346; vii. pp. 9, 13, 403.

³ R. Pococke, *op. cit.* p. 281.

⁴ *Statistical Account*, v. pp. 532-3.

⁵ *Ibid.* xii. p. 102.

⁶ *Ibid.* i. p. 373.

⁷ A. S. Cunningham, *Mining in the Kingdom of Fife*, pp. 5-9; R. Bald, *General View of the Coal Trade of Scotland*, pp. 4-11.

⁸ *Statistical Account*, vii. p. 11.

⁹ R. Bald, *op. cit.* p. 23.

1760.¹ Many pits remained without engines at all.² Thus though steam engines had been employed in mines over forty years previously, in 1760 they were still comparatively rare. Under these circumstances mines were only partially worked, as much coal being taken out as could be procured without the aid of 'fire engines.'³ Thereafter they were abandoned. The Statistical Account makes frequent mention of mines which have been 'given up,' 'formerly worked,' 'not wrought these many years.'⁴ In one place four years represented the length of period during which coal could be wrought dry.⁵ Working was discontinued when free level coal had been worked out,⁶ or when human effort was overpowered by water.⁷ Rich seams lay at great depths unworked,⁸ mines incommoded with water lay open to the enterprise of future adventurers.⁹ Not only were many coal seams partially worked and some abandoned, others had never been tapped on account of their depth.¹⁰

It would appear then, that the economic circumstances of the time, did not justify expenditure on those mechanical devices which were at hand to prevent the return to nature of gifts which were free to be won. The most significant fact of all, however, is that even where there were no apparent obstacles in the way of mining operations, seams of coal remained unworked. This was to be true even at a later date. In a parish where coals were to be found on almost every farm no coal work was carried on ; large beds of excellent coal remained unexploited ; in certain lands unwrought coal abounded ; in other places valuable seams remained untouched.¹¹ Those were the days when farmers in the course of agriculture ran across the mineral, digging it out for their own use.¹²

The explanation of this meagre exploitation of the coal resources of Scotland is to be found in the nature of the then demand. Much coal had formerly been used in the manufacture of salt, but with the decay of that trade in the course of the

¹ *Statistical Account*, iv. p. 371 ; v. p. 257 ; ix. pp. 8, 299, ; xi. p. 492 ; xiv. p. 543.

² *Ibid.* ix. p. 299.

³ *Ibid.* iv. p. 371.

⁴ *Ibid.* ii. p. 432 ; iii. p. 488 ; ii. p. 244.

⁵ *Ibid.* v. p. 257.

⁶ *Ibid.* xii. p. 539.

⁷ *Ibid.* xii. p. 539.

⁸ *Ibid.* x. pp. 144-5.

⁹ *Ibid.* vii. p. 13.

¹⁰ *Ibid.* xi. p. 492 ; xx. p. 154.

¹¹ *Ibid.* ii. p. 368 ; iii. p. 464 ; iv. p. 329 ix. p. 337.

¹² *Ibid.* xii. p. 102.

eighteenth century, many salt-pans had gone out of use¹ and with them certain coal workings.² The demand for household uses could not be great, where peat by itself, or along with coal provided, and continued to provide, a ready source of fuel.³ Even in a district abounding in coal many farmers and cottagers were found to burn peat in part.⁴ What demand there was, was not necessarily effective. The wretched state of communications, which found even in the shortest distances insuperable obstacles, prevented the general use of coal as fuel⁵ and hindered its export.⁶ More important still, however, were certain elements in demand then lacking altogether but subsequently of immense importance. Thus coal had no economic value in the production of power. This was virtually true when steam engines were employed in mines only, and that but rarely. But further, for all intents and purposes there was no demand for coal in the production of iron. Smiths may have used it in their forges,⁷ but not so with smelting. As we saw, it was to the woods of the Highlands that the iron works of the time migrated. The first requisite of the iron-master was an adequate wood supply.⁸ Attempts had, indeed, been made to smelt iron with coal. A sixteenth century writer makes mention of certain black stones which 'resolve and meltes irne.'⁹ In 1661 a monopoly is said to have been granted for the manufacture of iron with coal.¹⁰ We have no real evidence, however, that coal was ever used in Scotland for iron manufacture before 1760.¹¹ The furnaces of the day made use of charcoal.¹² In view of the demand, the finding of crop coal in 1760, and the generally shallow nature of the pits becomes understandable. It is not surprising, taking all the circumstances into account, that mines should usually be partially wrought and very often abandoned, while many remained untapped altogether.

¹ R. Bald, *General View of Coal Trade of Scotland*, p. 84; Sir J. Dalrymple, *Address and Proposals on the subject of the Coal, Tar, and Iron Branches of Trade*, p. 7.

² *Statistical Account*, xi. p. 549.

³ *Ibid.* i. pp. 157, 319-420; ii. pp. 42, 389.

⁴ *Ibid.* i. p. 349.

⁵ *Ibid.* i. p. 339; ii. p. 147; vi. p. 99.

⁶ *Ibid.* vi. p. 407; xii. p. 539.

⁷ *Ibid.* v. p. 346; xii. p. 541.

⁸ I. Macadam, *Notes on the Early Iron Industry of Scotland*, pp. 105-6, 126-7.

⁹ Quoted A. S. Cunningham, *op. cit.* p. 4.

¹⁰ D. W. Kemp, *Notes on Early Iron Smelting in Sutherland*, p. 23.

¹¹ I. Macadam, *Notes on the Early Iron Industry of Scotland*, p. 95.

¹² *Ibid.* pp. 124, 129-30.

Under such conditions, common to both the coal and the iron trades, it was only natural that 'the article of mines in Scotland' should seem indeed to be 'greatly neglected.'¹

Thus viewed from two distinct stand-points, whether in the dependence of the textile manufactures on agriculture, or in the relative insignificance and undeveloped state of the coal and iron trades, agriculture stands out clearly as the predominant industry of the time, and as the basis on which to a very large extent the whole economic organization of the day turns. Agriculture in 1760 might be represented as it had been earlier in the century, 'the main source from whence all the rivulets run and water the body, the main and first spring that must give motion and life to all the parts and branches of improving the nation.'²

But what of the nature of this agricultural basis in 1760? It was nothing if not poor. General improvement was the need of the time.³ Some improving, indeed, had taken place prior to this date, but it was only after 1760 that great changes commenced.⁴ At that time and even at much later dates estates still remained in a state of nature.⁵ The husbandmen of the time were 'unskilful and inanimated,'⁶ 'tenacious of old practices,' 'muleish' in their attitude to change,⁸ 'creeping in the beaten track of miserable husbandry.'⁹ 'Nothing,' it was reported, 'could be more wretched than the agricultural state of North Britain.'¹⁰ The extent to which feudal services continued to be exacted,¹¹ and rents to be paid in kind,¹² gives some indication of the undeveloped state of cultivation. The husbandry of the day was conducted on the outfield and infield system.¹³ The infield was sown always with the same crop, never fallowed, and

¹ M. Postlethwayt, *Universal Dictionary of Trade*.

² W. Macintosh, *An Essay on ways and means for inclosing, fallowing and planting in Scotland*, p. 257.

³ A. Grant, *Practical Farmers' Pocket Companion*, p. 4.

⁴ J. Ramsay, *Scotland and Scotsmen in the Eighteenth Century*, ii. p. 243; *Analysis of Statistical Account*, p. 234.

⁵ J. Ramsay, *op. cit.* p. 217; G. Chalmers, *Caledonia*, v. p. 7; *Statistical Account*, xx. p. 63.

⁶ G. Chalmers, *Caledonia*, v. p. 7.

⁷ A. Grant, *op. cit.* pp. 3-4.

⁸ A. Grant, *Farmers' New Year's Gift*, p. 2.

⁹ A. Wight, *Present State of Husbandry in Scotland*, i. p. vii.

¹⁰ G. Chalmers, *Caledonia*, v. p. 5. ¹¹ *Statistical Account*, i. pp. 432-3.

¹² J. Colville, *By-ways of History*, pp. 12-13.

¹³ A. Grant, *Practical Farmers' Pocket Companion*, p. 3.

dunged only once in three years, while the outfield, the remaining part of the farm, consisting of a piece of land taken from 'lee' every year, was never manured, but three or more crops having been taken from it successively, it was left in 'lee' again for four, five or six years. In both cases the soil was ruined and impoverished,¹ sometimes in fact lying worse than nature had left it 'for being abused with bad tillage and ill-directed rigs.'²

Actual methods of culture and agricultural instruments were as bad as could be devised.³ It was not uncommon to see four horses and four oxen dragging and staggering before a large heavy plough at a rate of one mile per hour.⁴ Bad ploughing and cultivation generally, resulted in a soil full of noxious roots and weeds,⁵ seeds sometimes being liberally bestowed so as to keep them in check.⁶ The returns to agriculture were naturally meagre, seldom yielding more than four or fivefold on the infield, while the hungry crops of the outfield seldom produced a return of two to one.⁷ It must have been the exceptional nature of the scene which made Pennant at a later date paint a somewhat glowing picture of 'streams of corn darting from the hills to the centre of the valley, and others again radiating from the coast.'⁸ A truer representation of the state of agriculture was to be found in the famine of 1783, or in the statement that the inhabitants of a certain district were distressed at one period of each year for want of meal.⁹

The miserable state of Scottish agriculture in 1760 was by no means due entirely to the backward methods of husbandry then in practice. The spread of a more enlightened cultivation was subsequently to work wonders, but later experience was to prove also that very definite limitations had been placed on the power of agricultural improvement. The best-laid schemes of improving were set at nought by an unpropitious soil and climate ; soils proved completely ungrateful in their response to manure ;

¹ *Ibid.* pp. 3-4.

² A. Wight, *op. cit.* i. pp. 29-30.

³ *Ibid.* i. pp. 3, 5, 34.

⁴ *Statistical Account*, xx. p. 6.

⁵ A. Grant, *Practical Farmers' Pocket Companion*, pp. 3-4.

⁶ *Statistical Account*, xx. p. 195.

⁷ A. Grant, *Practical Farmers' Pocket Companion*, pp. 3-4 ; A. Wight, *op. cit.* i. p. 5 ; *Analysis of Statistical Account*, p. 235.

⁸ T. Pennant, *Tours*, 1772, ii. p. 148.

⁹ A. Wight, *op. cit.* i. p. 93.

to plough was not necessarily to plough to advantage.¹ Certain lands laboured under disadvantages, which no effort of genius or of industry could surmount,² while others even under the most cautious and prudent management, speedily returned to their native barren soil.³ Various factors contributed to produce this result. Sir John Sinclair, basing his opinion on evidence supplied from every parish in the country, designated the soil of Scotland as in general sterile.⁴ Now it was poor, hungry, rugged and of the meanest description ;⁵ now bleak and wettish, encumbered with stones, abounding in waste corners, unfriendly to vegetation, in places scarcely being able to bear the expense of erecting stone walls for its enclosure, at times worth scarcely sixpence an acre.⁶ The very configuration of the land imposed obstacles in the way of husbandry, irregularity of surface rendering cultivation not only difficult and expensive,⁷ but often impossible.⁸ And further, a climate precarious and capricious proved an invincible bar to agricultural improvement, by retarding vegetation,⁹ and in some cases regularly preventing good crops from being safely garnered.¹⁰

Here then, apart altogether from the backward state of agriculture generally common at the time, was an obstacle of a more permanent kind precluding the possibility of development beyond a certain point. Most certain it was to one writer, after having considered the 'distresses' under which Scotland laboured from soil and climate, that nature had 'put a negative against productive revenue and extensive agriculture in that kingdom.'¹¹

The point of view from which it was possible to stress the economic poverty, rather than the economic prosperity of Scotland in 1760, now becomes clear. That year did, as we saw, witness a marked degree of economic progress, the result in large part of the removal of many of those conditions which for long had

¹ *Statistical Account*, x. p. 82 ; xi. p. 3 ; xii. p. 31.

² *Ibid.* vii. p. 231.

³ *Ibid.* xii. p. 72.

⁴ Sir J. Sinclair, *Analysis of Statistical Account*, p. 72.

⁵ A. Wight, *op. cit.* i. pp. 17, 97,

⁶ *Statistical Account*, i. p. 348 ; ii. p. 58 ; xx. p. 62 ; i. pp. 264, 340 ; ii. p. 239.

⁷ *Ibid.* ii. p. 44.

⁸ A. Wight, *op. cit.* i. p. 24.

⁹ Sir J. Sinclair, *Analysis of Statistical Account*, p. 104.

¹⁰ *Statistical Account*, xx. p. 27

¹¹ J. Knox, *View of the British Empire, more especially Scotland*, i. p. 109.

impeded material development, but peculiar natural limitations of soil, climate, physical configuration, still remained. Thus though there might be more incentive to the exercise of sustained economic effort, the field for the play of that effort was at once poor and stubborn. Such a position of affairs was of peculiar moment to a country when the whole economic organization of the day centred mainly round the position of agriculture. A real barrier was raised in the path of advance to material wealth. It is on these grounds mainly, due allowance always being made for the continued effects of causes which in themselves had long ceased to operate, that the relative economic poverty of Scotland in 1760 is to be explained. The impossibility of surmounting this obstacle by direct assault had been seen in the definite limitations set by nature to the success of the efforts of agricultural improvers. In point of fact the difficulty was to be overcome, not by elimination, but through a process of circumvention accomplished in the course of changes in economic life involving at the same time an entirely new form of economic organization. As a result there was to be a moving away from the importance of agriculture as the basis of industry, and a revelation of the essential relativity of all former conceptions of wealth or poverty of natural resources.

It is in this way that the year 1760 is of peculiar importance in the economic history of Scotland. In the latter part of that year great buildings were making at Carron for iron-smelting houses.¹ These works in a special sense typify the commencement of a new industrial order, and indicate a new phase in economic development. The land round Carron might be a mere moor² or an uncultivated stretch of peat and heath,³ but the coal and iron-stone dug therefrom, and linked together in the production of iron⁴ were to form the basis of a trade, comparable in its returns to none under the sun save that of plundering Bengal.⁵

It is interesting to trace in the Statistical Account, the growing appreciation of the nature and extent of the change beginning to be thus effected in economic life. Under new conditions,

¹ R. Pococke, *Tours*, p. 296.

² T. Pennant, *Tours*, 1769, p. 263.

³ G. Jars, *Voyages Métallurgiques*, pp. 270-1.

⁴ *Ibid.* pp. 265-70.

⁵ Sir J. Dalrymple, *Address and Proposals on the subject of the Coal, Tar and Iron Branches of Trade*, p. 13.

the natural resources of the country come to appear in quite a different guise. Scotland contained many lands, where a poverty of soil seemed almost to accompany the presence of minerals. A heath-covered soil of poor clay ; lands not worth half-a-crown per acre ; fields which for years had not yielded a crop sufficient to refund the farmer for seed and labour, yet contained abundance of coal and iron.¹ Hitherto stress had been laid on the infertility of the soil.² Now there is a transference of emphasis from the agricultural poverty of the land to the worth of its minerals, and a conscious recognition of the extent to which one may compensate for the other. A certain parish with all its disadvantages of soil and climate, claims to find ample compensation in its buried wealth.³ Minerals are recognised as destined to become objects of importance,⁴ and as presenting profitable fields for future investment,⁵ as a result of which the whole face of the country will be transformed.⁶ Agriculture begins to lose its position of relative importance. How long certain districts at present almost entirely agricultural are likely, in view of their possessing minerals, to remain so, it is now difficult to determine.⁷ Already in certain instances agriculture, the basis and support of all other arts, shows signs of being outrivalled,⁸ not, however, without a corresponding gain in material wealth, a greater estate indeed being found to arise in this way than could ever have been reaped from the surface of the soil.⁹ It might well be in fact, as one writer expressed it, in somewhat more picturesque language perhaps than the circumstances of the case demanded, that 'in this instance, and in many others which have not yet been sufficiently explored, the bleak moors of Caledonia, and her hills covered with blue mists will be found to contain some of her most valuable treasures.'¹⁰ The prophecy was to be more than fulfilled. In the end it was to be a very far cry from the early days of coal mining in the thirteenth century, when a mine charter granted the right to dig coal only from land which was not arable.¹¹

In the process of movement away from an economic organization turning mainly on agriculture, the founding of the Carron

¹ *Statistical Account*, xi. pp. 430-1 ; x. pp. 213, 340.

² *Ibid.* vii. p. 603.

³ *Ibid.* xx. pp. 2, 152.

⁴ *Ibid.* ii. p. 215.

⁵ *Ibid.* ii. p. 78.

⁶ *Ibid.* v. pp. 324-5.

⁷ *Ibid.* v. p. 340.

⁸ *Ibid.* ii. p. 162.

⁹ *Ibid.* vi. p. 94.

¹⁰ *Ibid.* xx. p. 153.

¹¹ A. S. Cunningham, *Mining in the Kingdom of Fife*, p. 3.

iron-works was no more than an episode, though a peculiarly significant one as indicating the first stirrings of still more comprehensive changes destined to take place in every department of economic life. These changes as they ran their course were to constitute what has come to be known, not altogether correctly, as 'the Industrial Revolution.' The whole tendency of that movement was to deprive agriculture of its relative importance as the touchstone of economic prosperity. It is just on that account that this 'revolution in industry' comes to occupy a position of the utmost significance in the history of the material development of Scotland.

JOHN M. DICKIE.

The Dalkeith Portrait of Mary, Queen of Scots

THE little known Dalkeith portrait of the Queen is not commented on by Sir George Scharf (who, indeed, saw it not very long before his death), and I do not notice it in Mr. Foster's great work on the portraits of Queen Mary. The late Mr. Andrew Lang, who opened out a new field by identifying the 'Leven and Melville portrait' of Queen Mary by comparing the jewels on it with those in the Queen's Inventories, probably never saw it ; but his article in the *Scottish Historical Review* (vol. iii. p. 129) and the method derived from it has made the writer attempt a similar line of work in this note.

This is the description of the portrait which is on panel : 'Half-length $\frac{3}{4}$ to the right, eyes to front. The hair is waved and auburn. She wears a dark dress which is turned back with a high collar, lined with white opening over a stiff front of cloth of silver on which strings of pearls are arranged. The décolletage is filled in with a soft chemisette of lawn finished with a small ruff. The cap is of lace, and on it are jewels and a spray of flowers above the ear at the left side, a veil falling at the back of the head. A jewelled necklace and cross round the neck. Over the shoulders and down the dress is a garniture of narrow gold chains or passementerie, filled in with silvery material, toning with that of the front, caught at intervals with jewels of table-cut diamonds. The sleeves of the dress are striped with narrow lines of golden passementerie, something like that on the garniture of the bodice.'

The portrait is obviously one of Mary in her youth, and must either have been painted before she left France in 1561 or copied from a picture of that date, for the reasons following.

The first thing to be noticed is the great likeness (though the head and figure are turned in the opposite direction) between the features in this portrait and those in the undoubted chalk sketch¹ in the *Bibliothèque Nationale* in Paris of Mary as

¹ Reproduced in *The Portraits and Jewels of Mary Stuart*, by Andrew Lang. See also *Scot. Hist. Review*, vol. iii. p. 137.



MARY, QUEEN OF SCOTS, QUEEN CONSORT OF FRANCE.

The Dalkeith Portrait.

In the possession of His Grace the Duke of Buccleuch and Queensberry, K.T.

Dauphine of France about 1559, attributed to either François Clouet or Jehan de Court.

The long rope of pearls on the front of the dress is arranged in the same way in both pictures, looped across the bust to the centre and then falling in two long strings to the waist or below.

Mary's ropes of pearls were famous,¹ and in one or two of the portraits they can be seen arranged in different ways; here we have them exactly as in the chalk sketch, but with the addition of a row worn across the bust just at the top of the stiff front of the dress and below the lawn chemisette. The *carcan* or necklace in the chalk sketch is not the same; it is entirely composed of large pearls. Yet the *carcan* in the Dalkeith portrait has a very important claim to notice. This *carcan*, with its pendant cross, is formed of diamonds, alternating with *entre-deux* of large pearls, set in groups of five. Now in the Inventories of Mary's jewels among all the *carcans*, *colliers*, *cotoires*, *ceintures*, etc., one can find many with *entre-deux* or 'couppletz' of pearls set in clusters of two, three, four, or even six, but only three instances of groups of five pearls.

In the Inventory² of the jewels given back to the Crown of France, when Mary became the widow of François II., before she returned to Scotland in 1561, we find the following articles:

A *Bordure de touret*, a *grand collier d'or* and a *carcan*, all three composed of diamonds with *entre-deux* or *couppletz* of pearls set in clusters of five. In the *Bordure* the Inventory mentions 'huict couplets de perles,' and does not mention the groups of five; but as there were forty pearls in the valuation, it is obvious that it matched the *collier* and *carcan*. In the *collier* the 'cinq grosses perles rondes' are noted. This is the description of the *carcan*. 'Un carquant de pareille façon auquel y a cinq dyamans deux en grosse point, un grande table taillé à face et deux petites tables dont y en a une rompue par la moitié et six couplets de perles entre-deux où y a à chacune cinq perles.'

This being so, it becomes even more evident, when considered in connection with the *cordón* of pearls on the front of the dress (arranged as in the chalk sketch of 1559) that the

¹ Queen Elizabeth bought six of the ropes in 1568.

² Robertson's *Inventaires de la Roynie d'Écosse*, pp. 192, 193, 194.

portrait represents Mary in her youth as Queen of France.¹ While dealing with the *coupplets* of pearls, set in groups of five, it may be noted that in a portrait of Elizabeth of Austria, wife of Charles IX. (the succeeding Queen to Mary), she also wears a *carcan* and *grand collier* of table jewels with *entre-deux* of pearls in fives ; but the stones between are not diamonds, but alternate tables of rubies and emeralds. It can be seen from the Inventories that parts of sets of jewels were taken off and used with other pieces of jewellery. It is possible that Mary's successor may however have had the design copied with slight alterations.

The cross I have not been able to identify exactly. A large cross of *nine* diamonds was given back with the other jewels to the Crown of France,² but the cross in the Dalkeith portrait has only seven stones in it. Mary had several crosses, but the only one with seven diamonds³ I can find is mentioned as having two cabochon rubies and, in addition, a pendant pearl. The pearl is noted as being added to the cross⁴ from some loose pearls. 'Il a este prins des perles cydessus à pendre pour mettre à une croix de diamans et rubiz nue grosse perle,' but as we have seen previously jewels were constantly being altered, so the *rubiz* may, like the pearl, have been added to the original cross as an afterthought.

The jewels on the cap and on the ornamentation of the dress resemble the table stones of the necklace. They might be parts of the *Bordure de touret* and *collier*, mentioned before, detached from their clusters of pearls. There were nine table diamonds '*de plusieurs grandeurs*' in the *Bordure* and eleven in the *collier*. There were also four extra table diamonds to lengthen the *collier*. Allowing for, say, five on the cap, this would give fifteen for the dress, which would accord with the distribution, so far as one can see, in this picture. In any case, Mary had many other jewelled *boutons*,⁵ as can be seen in the Inventories.

¹ Bapst, *Histoire des joyaux de la Couronne de France*, pp. 55, 58.

'A l'époque de Marie Stuart . . . les entre deux ne sont plus de nœuds, mais des pompons de quatres ou cinq perles ou des barettes de deux perles.'

So the beautiful Scottish queen's fashion might be copied often.

² Robertson's *Inventaires*, p. 197.

³ *Ibid.* p. 76.

⁴ *Ibid.* p. 82.

⁵ '*Neuf tables de diamants faictes à boutons*,' *Ibid.* p. 5, and others.

Taking, therefore, into consideration the pearl *cordon* on the dress, the jewels on it and the cap, the *carcan* with its diamonds and *entre-deux* of pearls set in groups of five, one may conclude that this picture is a portrait and a correct portrait of Mary, either painted before she left France or an early copy of such an original.

It is not easy to say where the picture came from originally, but it has been at Dalkeith for more than two centuries. There is a tradition that it was once at Smeaton ; but that helps little, for Smeaton was bought in 1707 by Anna, Duchess of Buccleuch, the widow of Monmouth,¹ and after that it was used as a residence by the Buccleuch family, with frequent changes of 'plenishings' between it and Dalkeith Palace.

John Loveday of Caversham mentions it in the account of his visit to Dalkeith in 1732 as 'a picture of Mary, Q. of Scots,' and it was doubtless included in the pictures Defoe and his co-editors saw at Dalkeith before 1769 and chronicled as 'some Royal Originals.'

It was reserved for Pennant to give a full and true description of this portrait. He says, in writing of his visit to Dalkeith Palace in July 1769 and of the pictures there :

A beautiful head of Mary Stuart : her face sharp, thin and young, yet has a likeness to some others of her pictures done before misfortune altered her : her dress, a strait gown, open at the top reaching to her ears, a small cap and a small ruff, with a red rose in her hand.'

MARIA STEUART.

¹ The Duchess' father, Francis Earl of Buccleuch, purchased the estate of Dalkeith in 1642, from William Douglas, 6th Earl of Morton. Queen Mary had visited James 4th Earl of Morton (afterwards Regent) at Dalkeith in 1565.

‘Teste Meipso’ and the Parochial Law of Tithes

IN the number of the *Scottish Historical Review* of April, 1918 (xv. 265), I drew attention to a passage in a treatise by Edward Henryson on the tenth Title of the Second Book of Justinian's *Institutes* and to the *Decretals* of Innocent III. which he cites in support of the form *teste meipso*. The general question involved was further discussed by Mr. R. L. Poole (*ibid.* 359), and in the *English Historical Review* of April, 1920, by Miss Hilda Prescott (xxxv. 214). Neither of these writers is concerned with the specific case to which Henryson refers, but the Rev. Thomas Miller deals with it in an article on ‘The Parochial Law of Tithes’ in the March number of the *Juridical Review* (xxxii. 54). Mr. Miller has taken the enquiry a step further by identifying the *instrumentum* which was referred to in the Papal letter of 1206 as the *Concordia* of the time of David I. which appears in the Dunfermline and Cambuskenneth Registers and in Thomson's edition of the *Acts of the Parliaments of Scotland* (i. 359), and by explaining the meaning of the phrase *testibus sublati de medio*.¹

The additional light which Mr. Miller has provided enables the third point, with which the Papal letter deals, to be precisely stated. The four points dealt with are as follows :

(1) The legal doctrine *reconventio* does not apply in an arbitration. In other words, the arbiters are limited to the original terms of the reference. The decision of Innocent on this point appears in the *Corpus Juris Canonici*, in the Title *De arbitris* (*Decretal. Greg. IX. Lib. I, Tit. 43, cap. 6*).

(2) Documents can be produced in process up to the date on which judgment is given. The decision appears in the title *De fide instrumentorum* (*Ibid. Lib. II. Tit. 22, cap. 9*).

¹ It must be noted that Innocent does not call the *instrumentum* a *concordia*, but an *instrumentum super compositione inita*. The canonists, however, gave such a wide meaning to the term *instrumentum* that on re-consideration I am prepared to accept Mr. Miller's view.

(3) Local custom to that effect may give to an instrument the character of an *instrumentum authenticum*. This decision also appears in the title *De fide instrumentorum*.

(4) An action containing possessory and petitory conclusions may be terminated by a single decree. This decision appears in the title *De causa possessionis et proprietatis* (*Ibid.* Lib. II. Tit. 12, cap. 6).

The question with which we are concerned is the third, and Innocent states it as follows :

‘Ex quo autem scrupulus tertiae dubitationis emersit, quod monachi supradicti excipientes contra canonicos supradictos asseruerunt controversiam super praefatis decimis tempore inclytae recordationis regis David fuisse per concordiam terminatam, super compositione inita instrumentum in medium producentes praefati regi sigillo munitum. Super quod nostrum postulastis responsum, *utrum instrumentum illud, testibus sublati de medio, per se sufficere valeat ad probandum propositum, cum hinc inde fuerit allegatum.*’ The words printed in italics concisely present the point at issue. Innocent’s answer was as follows :

‘Super tertio vero capitulo taliter respondemus, quod inquiratis diligentius veritatem. Et si consuetudo illius patriae obtinet approbata ut instrumentis illius regis fides adhibeatur in talibus, vos secure poteritis praefatum admittere instrumentum ; praesertim cum saepedictus rex tantae fuerit honestatis quod ipsius instrumenta maximae auctoritatis sint in partibus Scoticanis.’¹ It is clear that the question concerned the validity of the instrument and not its subject matter, that the point involved was the competence of certain evidence and not, as Mr. Miller claims, a question of tithes. This is borne out by the position assigned to the passage in the Decretals of Gregory IX., which were compiled by Raymond of Pennaforte within twenty years of the death of Innocent III., and sent by Gregory to the Universities of Bologna and Paris in 1234. Gregory and Raymond treated the question as being one of probation, and the decision of Innocent III. was soon recognised as the *locus classicus* for the rule that for the purpose of proof local custom may give ‘authenticity’ to instruments which are not admissible by the strict letter of the Canon Law.²

¹ Migne, *P.L.* ccxv. 1127.

² A reference may be permitted to the Treatise of Lanfrancus de Oriano, *De instrumentorum fide et productione* (Zilettus, iv. 29 et sqq.) : ‘Instrumentum publicum secundum Innoc. in c. j. de fi. instr. dicitur scriptura, quae plenam facit fidem

What were *instrumenta authentica*? They have been defined by a modern canonist of great authority as 'ea quae ex se fidem faciunt: sive ex oppositione sigilli authentici, puta episcopi vel principis saecularis cui creditur de consuetudine; sive alio modo, ita ut ad sui valitudinem non requiratur aliud adminiculum.'¹ It will be observed that the main requirement for an instrument of this class was an authentic seal, and that the definition reproduces the decision of Innocent III. with which we are concerned. The document obtained 'authenticity' by the presence of King David's seal.

Before the time of Innocent III., Pope Alexander III. (1159-1181) had decided in an English appeal that an instrument lost its force through the death of the witnesses unless it was executed 'per manum publicam' or bore an 'authenticum sigillum.'² Again, before the date of Innocent's decision, Richardus Anglicus (†1237) wrote in his *Ordo judiciarius* (circa 1190): 'Si instrumenta munita fuerint sigillo authentico, valent etiam testibus mortuis.'³ The doctrine thus laid down was an extension of that of the Roman Law of the later Empire and of the Canon Law.⁴ It probably marked a recognition by the Church of feudal claims and of the provisions of the Customary Law. The claims of national jurists are indicated by Bracton's note of 1224: 'Testificatio Domini Regis per cartam vel viva voce omnem aliam

producta coram iudice sine alterius adminiculo, unde tali instrumento publico producto in iudicio non est opus, quod testes in eo descripti producantur et deponant, nec est opus, quod tabellio deponat dictum suum, immo mortuis testibus et tabellione instrumentum facit plenam fidem... Caeterae scripturae censentur privatae secundum eum (Innocent), nisi consuetudo foret, quod certis instrumentis adhibeatur fides, nam si de consuetudine fides plena adhibeatur aliquibus scripturis, talis plenam facit fidem licet non sit per notarium confecta. Casus est in c. cum dilectus de fide instr.' It will be observed that Lanfrancus cites the letter of Innocent with which we are dealing as his authority for the proposition that local custom may have the effect of giving a public character to an instrument which is technically a private one. Had Innocent not granted to the *Concordia* of David this semi-public character, it would have had no effect, for, to quote Lanfrancus, 'quod licet scriptura privata habeat suscriptionem plurium testium, annum, mensem, diem et similes solemnitates: tamen si testes non recognoverint suscriptiones suas, vel mortui sint, et nulla sit facta comparatio, et pars negat, non probat' (*ibid.* § 55).

¹ Reiffenstuel, *Jus Canonicum*, iii. 82; cf. *Reg. Morav.* 126.

² *Decret. Greg. IX.* lib. ii. tit. 22, cap. 2; cf. *ibid.* tit. 20 cap. 50.

³ Pertile, *Storia del Diritto Italiano*, vi. (1) 418, n. 53.

⁴ D. xxii. tit. 4; C. iv. tit. 20, cap. 15; Nov. lxxiii. c. 7.

probationem excedit’;¹ and by the compilations of the French jurists of the thirteenth century.² Even Innocent III., writing in 1207 to the Bishop of Ely and other Papal delegates, admonished them to have regard not so much to the number as to the quality of witnesses; ‘ad multitudinem tantum respici non oportet, sed ad testium qualitatem.’³

It is, therefore, somewhat remarkable that Innocent when he came to deal with the *Concordia*, with which we are concerned, should have based its ‘authenticity’ on local custom. Henryson notes his disapproval by citing provisions from the *Corpus Juris Civilis* as to the plenitude of Imperial power, and Boehmer of Halle (†1749), another regalist, writes with reference to this decision of Innocent: ‘Instrumenta regum principumque nunquam carent sigillo authentico, atque inde fidem connatam habent, non ex consuetudine: alioquin sigillorum authenticorum nulla vel lubrica esset fides, si consuetudo de fide antea probanda esset: quod tamen ex decisione pontificis colligendum.’⁴ This difficulty makes it necessary to consider the authority of King David’s instrument in the eyes of the Pope.

Innocent recognised the instrument as having in virtue of local custom the quality of an *instrumentum authenticum*. Now, in the Canon Law, this class of instrument was not an *instrumentum publicum*, but a private instrument which by an additional formality had been raised to the grade of an instrument approaching, but not identical with, a public instrument. As time passed, the terms ‘public’ and ‘authentic’ came to be treated as synonyms, but in the time of Innocent the distinction was a clear one.⁵ The recognition of David’s *instrumentum* by the Pope represented the final phase of the long conflict between the old Papal and Imperial notarial system and the growing local and feudal independence which discarded the elaborate formalities of the old European regime. We may assume that a great Canonist like Innocent was not prepared to act contrary to the legal system which he did so

¹ Pollock and Maitland, *History of English Law*, ii. 669, n. 2.

² e.g. *Etablissements de St. Louis* (Ed. Viollet, 1886), ii. 348 and iv. 225, where the editor quotes a text of the fourteenth century: ‘sigilla baronum et maxime habentium altam jurisdictionem sunt autentica et faciunt plenam fidem sine inscriptione testium et maxime in ducatu Normanie.’

³ Migne, *P.C.* ccxv. 745; cf. *Decret. Grat. II.* c. iv. q. 2 and 3, cap. 3, *Si testes omnes*.

⁴ *Corpus Juris Canonici* (Halle, 1747), ii. 324.

⁵ Reiffenstuel, *op. cit.* iii. 80 et seq.

much to preserve. All that he did was to recognise that the piety of the King and the custom of the country added to the instrument in question a kind of inferior public character. It was a grave and from a legal point of view an epoch-making decision, marking as it did an important relaxation of the Canon Law of evidence.

The instrument, then, with which we are concerned was an 'authentic' instrument embodying the terms of a *concordia*. The *concordia* or *compositio* was frequently resorted to by ecclesiastics, and the Letters of Innocent III. and the Registers of the Scottish Monastic Houses contain numerous specimens. Pope Alexander III. (1159-1181) had decided that 'super decimis pacifica fieri possit concordia' and that 'si super decimis inter vos et aliquam personam ecclesiasticam de assensu episcopi vel archiepiscopi sui compositio facta fuerit, rata perpetuis temporibus et inconcussa persistat.'¹ In the Lateran Council of 1215 Innocent III. ordained that a layman could not act as arbiter in spiritual matters, and in the eyes of the Pope tithes fell within that category.² In passing this decree the Council was simply reaffirming the canonical practice, and it introduced no novelty. It was designed to check secular encroachments.³

Mr. Miller has attempted to confer on the *instrumentum* of King David the character of an Act of Parliament or at least of a decision of a Court of Appeal. He has disregarded the warning which Cosmo Innes inserted in his Introduction to the *Register of Dunfermline* against the practice of applying to the institutions of a primitive society the forms of a later age.⁴ All that one is justified in saying is that the *instrumentum* is the record of the settlement of a dispute between ecclesiastics effected, so far as the resources of Scotland afforded, in a canonical way and authenticated by the magnates of the country in the most solemn manner at their disposal. In the course of time the *compositio* gained its developed and canonical form in Scotland, and was authenticated as an *instrumentum publicum* by a notary.⁵ So long as the form can be traced it maintained itself

¹ *Decret. Alex. III.* 35, 5; *Decret. Greg. IX.* bk. i. tit. 36, c. 2; cf. *Decret. Greg. IX.* bk. i. tit. 36, *De Transactionibus* generally.

² *Decret. Greg. IX.* bk. i. tit. 34, c. 8.

³ Migne, *P.L.* ccxv. 849, 1048, 1083, 1097, 1189; ccxvi. 95, 96, 255, 310, 1323, etc.

⁴ *Reg. Dunf.* p. xxii.

⁵ *Vide e.g. Reg. Pr. St. Andr.* 410, and *Reg. Ep. Glasg.* i. 265, 268.

clearly distinct from that of a legislative act or of the decree of a Court.¹

Mr. Miller's main argument for the legislative character of David's *concordia* is based on the reference which it contains to the lands in the parish which did not belong to the royal demesne ('*terrae aliorum hominum parochialium*'). He argues that the King by dealing with tithes which were payable from the lands of his subjects was in effect making a law of general application. This argument 'begs the question,' in respect that it assumes that the *concordia* is an expression of the King's will as a lawgiver. If we treat the *concordia* as an arrangement between the parties representing the Parish Church and the Royal Chapel, it is clear that no other body had any claim to payment of tithes within the parish, and that they were not exercising any legislative function in apportioning between themselves the whole of the tithe.

Mr. Miller identifies the *Concordia* of King David with the *assisa Regis David* referred to in a *precept* of William the Lion. This identification was considered by Connell as possible, but he was not prepared to accept it (1) because the point in dispute occurred only between the Bishop of St. Andrews and the Monastery of Dunfermline ; (2) because the title of the writing was against the supposition.²

Mr. Miller states, further, that Henryson 'claims that the *Concordia* is a statute of the realm.' This is not the case. Henryson's treatise in which the reference to the decretal of Innocent III. occurs is devoted to a question of probation, to the execution of Wills. He was not concerned with the authority or character of a document but simply with the formalities of execution, and his claim was that an instrument authenticated with a royal seal must be treated as an *instrumentum publicum*, irrespective of local custom. It does not follow that such an instrument must be a legislative act of general import. Henryson does not refer to the *Concordia*, and it is very improbable that, writing as he did in France, he made any attempt to identify it.

Mr. Miller contends, further, that Innocent III. was so much

¹ In an instrument of 1235 the Bishop of Dunblane writes of '*Ea que judicia vel concordia terminata sunt*' (*Chartulary of Lindores*, ed. 1903, 54), and the same distinction between a *judicium* and a *concordia* was made by Pope Honorius III. in 1226-7 (*ibid.* 114) ; cf. *Summa de Legibus Normannie*, cap. 100 (ed. Tardif. Paris, 1896), p. 245.

² *Law of Tithes* (Edinburgh, 1815), p. 11 n.

impressed with the substance of the *Concordia* with which we are concerned, that he derived from it 'the parochial law of tithes,' and that his decretal of 1210 and the subsequent canon of the Lateran Council of 1215 were inspired by the arrangement made before the Scottish King. This remarkable theory will not bear examination. In the first place, Innocent was not concerned with the merits of the Eccles case, but only with certain specific points of Procedure and the Competence of Evidence, and the contents of the *Concordia* were not before him. In the second place, Innocent's decretal of 1210 and the Canon of 1215 did not introduce a novelty. They simply reaffirmed a principle which had often been disregarded in practice. In the year 1199, seven years before his letter regarding David's *instrumentum*, Innocent wrote to the Archbishop of Canterbury : 'Pervenit ad audientiam nostram quod multi in dioecesi tua decimas suas integras vel duas partes ipsarum non illis ecclesiis, in quarum parochiis habitant, vel ubi praedia habent, et a quibus ecclesiastica percipiunt sacramenta, persolvent, sed eas aliis pro sua distribuunt voluntate. Cum igitur inconveniens esse videatur et a ratione dissimile, ut Ecclesiae, quae spiritualia seminant, metere non debeant a suis parochianis temporalia et habere, fraternitati tuae auctoritate praesentium indulgemus ut liceat tibi super hoc, non obst. contradictione vel appellatione cujuslibet seu consuetudine hactenus observata, quod canonicum fuerit ordinare et facere quod statueris per censuram ecclesiasticam firmiter observari' (Migne, *P.L.* ccxiv. 672, cf. Selden, *Historie of Tithes* (London, 1618), pp. 229-231). Innocent's predecessor Pope Alexander III. clearly indicated 'the parochial law of tithes' in letters to the Archbishop of Canterbury and to the Bishops of Worcester and Exeter (*Decret. Alex. III.* Tit. 34, c. 1 and 3).¹

Turning to Scotland, we find in the Register of Kelso a Charter by Robert, Bishop of St. Andrews, of a date between

¹ Reference may also be made to Concil. Ticinense, c. 2 (a. 855), in Galante, *Fontes Juris Canonici* (1906), 615 ; *Decret. Greg. IX.* bk. i. tit. 36, cap. 8, and *ibid.* bk. iii. tit. 30, c. 4, 5, 7, 8, 13 ; Thomassinus, *Vetus et nova ecclesiae disciplina*, p. iii. lib. i. cap. 9 ; Selden, *op. cit.* p. 283 ; Van Espen, *Jus ecclesiasticum Universum*, pars ii. tit. 33, cap. 3 ; and Suarez, *De virtute et statu religionis*, lib. i. cap. 21. Canon Law was to a great extent customary, and the Parochial Law of Tithes followed the delimitation of parishes. In France the boundaries of all the parishes were clearly defined by the end of the tenth century (Luchaire *Institutions Françaises*, Paris, 1892, p. 4) ; *Decret. Grat.* pars ii. causa xiii. q. i. ; *ibid.* causa xvi. q. i. cap. 42 and 43 and cap. 55 ; *ibid.* causa 25.

1147 and 1150, in which he confirms the grant by the Abbey to the Church of St. Laurence at Berwick of certain tithes *in jus parochiae*. The Charter concludes : ‘ Volo itaque ut praedicta ecclesia decimas et rectitudines praefatas habeat et teneat *jure parochiali* sicut aliqua elemosina liberius et quietius ab aliqua possidetur ecclesia.’¹ Again, in 1161, Pope Alexander III. issued a mandate to the people of the diocese of Glasgow that ‘ ecclesiis in quarum parochiis habitatis juxta communionem venerabilis fratris nostri Glasguensis episcopi decimas quae de canonico jure debentur sine contradictione cum integritate solvatis.’² Reference may also be made to a number of twelfth-century *conventiones* regarding the respective rights of a Parish Church and a Chapel, in which the rights of the former are carefully guarded,³ and to a *compositio* regarding tithes between William, parson of Hunsdun, and Melrose Abbey of 1185.⁴

To sum up the foregoing observations :

(1) Mr. Miller has misapprehended the import of Innocent’s letter and of Edward Henryson’s comments on it.

(2) He has given to the Eccles *concordia* a legislative or judicial character to which it has no claim.

(3) He has propounded a theory on the Law of Parochial Tithes which will stir the heart of every patriotic Scotsman and make Innocent and Raymond, Thomassinus and van Espen, and many other canonists turn in their graves.

DAVID BAIRD SMITH.

¹ *Liber de Calchou*, No. 445.

² *Reg. Ep. Glas.* No. 17 ; cf. *Reg. de Cambuskenneth*, No. 24, for analogous case of burial dues.

³ *Reg. Pr. St. And.* 321, 322.

⁴ *Liber de Melros*, ii. No. 129 ; cf. *Liber de Calchou*, i. No. 441. In this case the rector’s claim to the tithes was not supported, but the ground of the judgment of the Papal delegates is not given.

The Arbuthnots of Kincardineshire and Aberdeenshire¹

MRS. ARBUTHNOT'S book is a sound piece of genealogical work and a valuable contribution to Scottish family history. The author has been most painstaking and has told her story in a perfectly plain, straightforward way if occasionally at some considerable length. She has wisely eschewed all attempts at fine writing and 'gush,' which are too often the bane of lady genealogists. She has indeed an interesting story to tell, for few families have produced in their course so many distinguished men.

The Kincardineshire Arbuthnotts (with two t's), now represented by the peerage family of that name, trace their descent from a certain Hugo de Swinton who got the lands of Aberbothenoth (from which he assumed his ultimate name) as early as the twelfth century. Who this Hugo was has not been definitely ascertained, though there is little doubt that he was closely connected with the ancient Berwickshire family of that name. Mrs. Arbuthnot gives the pedigree from him down to the present holder of the title, but she does not enlarge on them, as her proper subject is really the Aberdeenshire branches of the family, whose ancestor is supposed to have been Hugh Arbuthnot the second son of Robert Arbuthnot of that ilk, who died in 1450, by his wife Giles, daughter of Sir Walter Ogilvy of Lintrathen, Lord High Treasurer of Scotland. For about a hundred and twenty years the descent is somewhat nebulous, and we are faced with a goodly number of 'probabilities.'

But when we come to James Arbuthnot of Lentusche towards the end of the sixteenth century we begin to be on firmer ground. Mrs. Arbuthnot thinks there is good reason to believe that he was the great-grandson of the above-mentioned Hugh, and

¹ *Memories of the Arbuthnotts of Kincardineshire and Aberdeenshire.* By Mrs. P. S.-M. Arbuthnot. Pp. 530. With 33 Illustrations and 3 Genealogical Charts. London : George Allen & Unwin. 1920. 63s. net.

brother of that Alexander Arbuthnot who was the joint printer along with Thomas Bassendyne of the Bassendyne Bible in 1579. His line, which in the person of his son John became that of Cairngall, is now extinct, and the present day Kincardineshire families are supposed to descend from the father of the laird of Lentusche, John of Legasland. And what an array of distinguished people sprang from him ! There was the Rev. Alexander Arbuthnot, minister of the parish of that name, an ardent Jacobite, who was deposed from his living in 1689, not exactly by the third Viscount as stated in the text, but by the Privy Council, for his adherence to the Stuart cause. He it was who wrote a continuation of a history of the family originally written in Latin by another Alexander Arbuthnot, who was Principal of the University of Aberdeen in 1567. Both these annalists, however, confined themselves to the senior line of the family and did not touch the cadet branches, which are our present author's principal care.. But perhaps the minister of Arbuthnot's chief claim to remembrance is not his family history but the fact that he was the father of a still more eminent man in the person of Dr. John Arbuthnot, the physician of Queen Anne, the friend of Mrs. Masham, and a participator in most of the political and Court intrigues of his day.

Little more than thirty years after his death another member of the family was born who was destined to play even a greater part in the public life of his country. This was Charles Arbuthnot, a grandnephew of the physician. To his career more than fifty pages of this volume is devoted, and there is much interesting matter in it, though some of it would have been more appropriate to a substantive biography. But our author is naturally anxious to vindicate his name from aspersions which have been cast on it in connection with his conduct of affairs when he was Ambassador to the Sublime Porte. In 1807 we had one of our periodic difficulties with Turkey, and the British Fleet successfully forced the passage of the Dardanelles, but having got through had the utmost difficulty in getting out again. This is not a story into which we can enter in detail, but the result was that Arbuthnot was recalled, and he then abandoned diplomacy for good and devoted himself to home politics, becoming in 1807 one of the joint Secretaries of the Treasury in the Duke of Portland's administration. In 1814 he married as his second wife Harriet Fane, a granddaughter of the Earl of Westmoreland. It was she, as is well known to

the student of the history of the period, who was the intimate friend and confidante of the Duke of Wellington, and after her death in 1834 Arbuthnot was perhaps the one man who was really intimate with the Duke, and continued his cherished and devoted friend till the close of his own life, which took place two years before the death of the great commander. Some curious glimpses are given in these pages of the Duke's domestic life. His wife was not suited to him, though she loved him immensely. She had neither the tact nor the ability to make the best of her distinguished position. The Duke was a hard man with no sentiment about him, but if his wife had managed affairs with discretion there would have been more tenderness in the establishment than there was.

The Arbuthnot family gave many eminent men to all the professions ; but it is curious to find that in the Church one of its most distinguished members was a dignitary of Rome. Charles Arbuthnot of the West Rora family was, we are told, 'brought up in the Roman Catholic faith' (though it is not clear why, as it is not said that his immediate family were Catholics), and was sent abroad for his education at an early age. He entered the Benedictine Order and became famous as a scientist, mathematician and chemist rather than as an ecclesiastic. He was, however, in 1776 appointed Abbot of St. James's Monastery, Ratisbon. He was perhaps rather a mundane Abbot ; besides his scientific eminence he distinguished himself by 'his remarkable skill at all games of cards, principally at Ombre, at which he is very fortunate.' We are also told by one of his relatives who visited him that he went every evening to the Assemblies or to the Opera, and that if St. Benedict were to come alive he would be rather surprised to see so gay an Abbot. He was a very handsome man, of charming manners, and Thomas Campbell the poet, who visited him on one occasion, described him as the most commanding human figure he had ever seen.

Not the most distinguished but one of the pleasantest figures which meet us in this gallery is that of Robert Arbuthnot of Haddo Rattray, who began life as a merchant in Peterhead, but came to Edinburgh, where he established a banking business, which was, however, not successful. He then obtained the post of Secretary to the Board of Trustees, an office which he held till his death in 1803. He was a man of strong literary tastes, and on that account was thought worthy by Boswell of an introduction to Dr. Johnson ; he was, too, an intimate friend

of the poet Beattie. Being socially inclined he was very popular in Edinburgh society. One of his sons, William, became in time Lord Provost of that city, and had the honour of being created a Baronet by George IV. on the occasion of the great banquet to that monarch in the Parliament House during the royal visit in 1822. And it was the great-grandson of the Lord Provost who nobly crowned a brilliant naval career, meeting, as Admiral Sir Robert Keith Arbuthnot, his death in the defence of his country at the battle of Jutland in 1916.

We have seen that one member of the family failed to succeed in the business of banking. It was given to another to show his outstanding ability in this line. George Arbuthnot, a younger brother of the Lord Provost, began his career as Deputy Secretary to the Government of Ceylon in 1801, but he resigned this appointment the following year and entered the house of Lautour & Co., bankers in Madras. He ultimately became the head of the firm, realising a large fortune, and altering its name to that of Arbuthnot & Co., the beginning of that great and long honoured banking house which for a century exercised a powerful influence in the mercantile community of the East till its disastrous end in 1906, long after the control of the business had passed from the hands of his direct descendants. He retired from business in 1823, came home and purchased the estate of Elderslie in Surrey, where he lived to the close of a long and honoured life, dying in 1843.

To the strange adventures of one of his daughters, Eleanor, Mrs. Arbuthnot devoted much space, and certainly tells an extraordinarily out-of-the-way and interesting story. She met in Ireland when a girl of eighteen a Mr. John Carden of Barnane Castle, Tipperary, a man of means and an eligible enough *parti* for her except in the matter of age, as he was forty-three. He became madly infatuated about her, and though she gave him no encouragement whatever he persisted in paying her attention and was never happy out of her presence. The story is a long one and cannot be related here. Suffice it to say that it ultimately ended in his attempting to abduct her, for which proceeding he was tried and sentenced to two years' imprisonment. After his release on the expiration of the term of his sentence he continued for years to follow her about the country, much to her distress and alarm, for there is little doubt that the poor man's mind had become unhinged. In the long run, however, she managed to get rid of him for good. He died, the

victim of unrequited love, in 1866, and his adored Eleanor survived him for nearly thirty years, dying unmarried in Ireland in 1894. She was for some years before that well known in Edinburgh, where she spent part of her later life.

It will be seen that besides mere genealogical facts there is a great deal of interesting matter in this book, and Mrs. Arbuthnot has executed her task of authorship modestly and well. It is a pleasure in these days to see a volume printed in such large and legible type, and with so many excellent illustrations. There are some useful pedigree charts which might have been fuller if they had been distributed throughout the book in detachments. There is an admirable index.

J. BALFOUR PAUL.

Reviews of Books

CHAPTERS IN THE ADMINISTRATIVE HISTORY OF MEDIAEVAL ENGLAND: THE WARDROBE, THE CHAMBER, AND THE SMALL SEALS. By T. F. Tout, Professor of History and Director of Advanced Study in History. Vols. I. and II. Pp. xxiv, 317 ; xvi, 364. London: Longmans, Green & Co. 1920. 36s. net.

THE late Sir John Seeley, clothing old theories in new garments, emphasized the need for two separate constitutional machines in a free country—the governing organ and the government-controlling organ. In the Great Britain of to-day the first of these is to be found in the machinery of which the monarchy is the centre, including King, Cabinet and administrative departments, the latter is to be found in Parliament. Professor Tout here maintains that the great hierarchy of English historians, from the venerated Bishop Stubbs onwards, have been at fault in overestimating the value of one of these factors in comparison with the other. His main proposition is that Parliamentary control has been exalted to the comparative neglect of the administrative mechanism upon which efficiency depends. Dr. Tout has accordingly set himself, as a supplement to his already weighty contribution to historical science, to redress the balance, and he is carrying through his task with characteristic energy and thoroughness. His main positions have been already outlined in a treatise entitled *The Place of Edward II. in English History*, published by him some two years ago. The present two volumes form the first half of a work intended to establish his thesis by an exhaustive examination of the vast amount of available evidence.

The clue that guides him through many labyrinths is the well-known principle of bifurcation, in accord with which every department of the central government of medieval England tended to split into two or more. As the exchequer became separate from the treasury, so the wardrobe from the king's chamber. Within the wardrobe a second treasury developed, distinct from the treasury of the exchequer, and at first subordinate to the older one, but tending in periods of royal ascendancy to usurp the premier position, while preserving comparative immunity from baronial or other control by professing to be still a department of the king's domestic economy rather than an office of state. Finally, this wardrobe became in fact, in Dr. Tout's own words, 'the War Office and the Admiralty, as well as the Treasury and the Ministry of Munitions.' In resolving a network of allied problems much aid is found from a skilful comparison between the various royal seals in use at different periods.

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As to all such points of detail Professor Tout's own lucid pages may safely be left to speak for themselves. As to the value of his contribution to constitutional history as a whole it would be premature to speak until he has concluded his researches. It is likely that there will be differences of opinion as to the extent to which the new light thrown by him will demand a restatement of fundamental principles; as to how far, for example, it may be necessary to abandon the sharp distinction traditionally drawn between the English system of parliamentary control and the bureaucratic methods adopted by the centralised governments of continental Europe, notably by France, where the central administrative machinery proved strong enough to outlive a series of parliamentary constitutions and the revolutions that divided them. Be this as it may, fellow-workers, while they differ, can hardly fail to realise the great value of Dr. Tout's researches. Not only do these afford a view of English constitutional progress from a new angle of observation, but they throw a flood of light on numerous dark places. Future historians of all schools will find here materials wherewith to test or fortify their own conclusions.

Picturesque details of the domestic life of kings of England lighten the technical nature of the main discussion. For example, the man who carried King John's bed had his meals in the royal household, while that monarch was entitled to three baths a year without extra payment to his officials, but each additional tub cost him twopence farthing to the water-bearer. (He profited from this source to the extent of $4\frac{1}{2}$ d. for the period between 10th April and 3rd August, 1212 !) Historians of Scots law will read with surprise the unqualified statement that in Western Europe 'the notarial system had only a late and occasional vogue,' but they have themselves to blame that Scottish institutions are not brought more prominently within the ken of English and continental writers on 'Western Europe'; the constitution of Scotland, considered as a whole, has still to wait for its historian.

Not the least pleasant feature of these volumes is the frequent acknowledgement of help received from pupils of the author's own training. The creation, by him and his able colleagues, of a school of history at Manchester that challenges in friendly rivalry the Oxford School of Modern History itself is no mean achievement.

WM. S. McKECHNIE.

DUPLEIX AND CLIVE : THE BEGINNING OF EMPIRE. By Henry Dodwell, M.A. (Oxon), F.R. Hist. Soc., Curator of the Madras Record Office. 8vo. London : Methuen & Co. Ltd. 1920.

MODERN research has, perhaps more frequently than its devotees would be inclined to admit, the task of re-adjusting historical perspective rather than the opportunity of reversing accepted judgments. Mr. Dodwell, however, has some claim to do both. His book is a work of genuine research, and not only does he soften and tone down the violent colours and contrasts and incidentally expunge some of the picturesque details of the authorised version of British Indian history—'Dupleixfatehabad,' for example, the 'City of the Victory of Dupleix,' dwindles down to an insignificant hamlet where no arrogant monument ever commemorated the conquests

of the would-be French empire builder ; but positive errors in statement of fact and opinion are freely corrected by his careful and accurate study of contemporary evidence.

Mr. Dodwell has used the original records of the East India Company, both those in his own care and those at the India Office, and the French archives at Pondichéry and in the Ministry of Colonial Affairs in Paris, and has based on them a really authoritative narrative of the first great contest between the rival nations in India. From this narrative, unquestionably better informed than its predecessors, Dupleix emerges shorn of some of his laurels—less of a political superman, and very much more credible in consequence. Certainly his policy, had it succeeded, would have revolutionised the position of the French Company in India : certainly it supplied both a model and a warning to British administrators and did revolutionise the position of the English company because in their hands it did succeed. But Dupleix's ambition to secure political control over native princes as well as commercial concessions from them grew slowly : the system he built up in the Carnatic and Deccan, in Mr. Dodwell's words, was 'the result of circumstances rather than the fruit of meditation.' Under the circumstances, any European might have built it : indeed the Dutch in Java already conducted their affairs on much the same lines : and the French policy was neither a novelty, nor even a scheme deliberately adopted and consistently followed with all its significance and consequences appreciated and foreseen.

Nor was it simply the short-sighted refusal of support from home that caused Dupleix's failure. The French Company certainly preferred good dividends to the establishment of an Indian Empire, and, like its English rival, did not desire political domination for its own sake. But it was not slow to see that commercial gain would follow political domination. Unfortunately for Dupleix, he could *not* make his wars pay for themselves, though that feat has been claimed for him. The exploits into which his alliances with native states and princes led him made large inroads upon the Company's revenues. Still the Company gave him, Mr. Dodwell considers, as much support as the English Company gave his enemies. It sent him more European recruits, no worse in quality than those of the English, whose superiority Mr. Dodwell attributes to better leading and the more rigid discipline Stringer Lawrence imposed on subordinate officers and men. It was the impossibility of financing in the Carnatic and the Deccan, comparatively poor and barren territories, such ambitious schemes as Dupleix gradually evolved that was the real cause of his ultimate failure. And, as M. Prosper Cultru has pointed out, it was not the French Company which recalled him but the French Ministry, which did not even communicate its decision to the Directors of the Company. (Mr. Dodwell, by the way, has two contradictory statements on this point—in his introduction, p. xvi, and on p. 77. The first is no doubt a slip of the pen.)

The second part of Mr. Dodwell's work is an excellent account of the later campaigns in the Carnatic of Lally and Bussy (whom Mr. Dodwell describes as an abler man than Dupleix) and of Clive's great work in Bengal. Mr. Dodwell touches very briefly on such matters as the famous forged treaty with Omichand, but of Clive's administrative genius he

speaks in an unwonted strain of enthusiasm. Indeed, his enthusiasm is well justified. Recognition of what is practically possible and foresight of what will ultimately become desirable are marks of the real statesman ; and Clive's political settlement during his second term of power in 1765-67, based on the first, yet so infused with the second that the one has never impeded the other, shows how eminently he possessed the rare combination of the two qualities.

There is one serious fault in Mr. Dodwell's book. It is totally deficient in maps ; and intelligently to follow his closely knit narrative, bristling with Oriental place-names, from large states to tiny villages, is quite impossible without maps. Although one could hardly expect the book to be furnished with plans on the scale of a large atlas, it certainly should supply the reader with good maps of Deccan and Bengal, and perhaps one of the Carnatic on a larger scale, to enable him to appreciate Mr. Dodwell's work at its full value.

J. W. WILLIAMS.

THE LOLLARD BIBLE AND OTHER MEDIEVAL BIBLICAL VERSIONS. By Margaret Deanesly, M.A. Pp. xx, 483. 8vo. (Cambridge Studies in Medieval Life and Thought.) Cambridge : University Press. 1920. 31s. 6d. net.

THIS is a work of sound scholarship, embodying a great deal of original research, and Miss Deanesly is to be heartily congratulated on her achievement. Written in a critical spirit equally far removed from the extremes of partiality and prejudice, the book is undoubtedly a valuable contribution to medieval history. Such definite results could only have been obtained as a result of great industry. One small section of the book alone, that concerning bequests of Bibles in medieval wills, involved the examination of over 7500 documents.

The subject has a much wider scope than might at first appear. The unity of the medieval church depended in no slight measure on the recognition of the Vulgate as the only authentic text, and at the same time on the exclusive right of the clergy to interpret the Bible. As soon as the general public had access to translations in the vernacular, ecclesiastical unity was imperilled. In Miss Deanesly's opinion it was only the exercise of force that prevented the Reformation from coming in the thirteenth and not in the sixteenth century. This is quite likely ; at the same time the Reformation would have been a very different movement without the added impulse of humanism.

In the Middle Ages the church did not invariably prohibit translations of the Bible into the vernacular. In the early ages of missionary effort such renderings were necessary. They were however made for the use of the clergy. In later times laymen were occasionally allowed to have copies of vernacular Bibles, but this permission depended on a Bishop's licence in the case of Great Britain, and the licence was only granted to persons of distinction. An unused book in a royal library was of no benefit whatever to the general public. As time went on, translations of the scriptures were more and more associated with heresy because the individual laymen began to claim the right to interpret holy writ in his own way.

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To a certain extent the development on the Continent and in Britain followed similar lines. The vernacular Bible was a weapon in the hands of the Waldensians of Lombardy, France, and the Empire, just as was the case with the English Lollards. The translation of the Bible was not at first among the objects which Wycliffe strove to accomplish, but towards the close of his life he considered it a necessary step for the achievement of his aims. The translation of the Vulgate is not even mentioned among the heresies for which he was condemned, although it was the logical outcome of those heresies.

Miss Deanesly has convincingly shown, and here lies one of the chief merits of her book, that the reference in Sir Thomas More's *Dialogue* to old English Bibles in the possession of the laity must refer to Wycliffite text without the heretical prologue. No complete Middle English version existed before Wycliffe, and even the partial versions were most likely all written after 1380.

Two minor points may be noted. The statement (p. 140) : 'It is claimed that a written version of the songs of Caedmon exists in a manuscript, which contains the story of Genesis, Exodus and Daniel,' is substantially correct, but its brevity may be misleading. The Anglo-Saxon *Exodus* has many archaisms in phonology and syntax which point to an Anglian original of early date, which may be as far back as Caedmon's time. The *Genesis* and *Daniel* are much later, and the interpolated *Genesis B* is a translation from the Old Saxon, and hence has nothing to do with Caedmon.¹ The discussion of the different dialects of Wycliffite scribes (p. 253) is not quite convincing. The form of the participle is a useful dialect test, although other evidence should be added. But—'and' is not Midland; it is Northern. Nor is 'heo' (presumably the nom. sing. fem. of the personal pronoun) necessarily Southern. It might just as well point to a Lancashire dialect. 'Yspoken' may be Southern, but it may also be Midland.

The carefully edited text of various Lollard tracts in the second Appendix is of considerable interest for students of Middle English.

JAMES M. CLARK.

OLD CROSSES AND Lychgates. By Aymer Vallance. Pp. xviii, 198. With 237 Illustrations. Small Quarto. London : B. T. Batsford, Ltd. 1920. 18s. net.

ORIGINATING in an art magazine article, this beautiful volume derives more from its artistic than its antiquarian suggestions. It is nothing short of an album of crosses and lychgates, comprehending the finest examples in England and exhibiting a great variety of skilful drawings and photographs of recent execution as well as reproductions of old pictures of objects no longer existing or now modified by the wear and tear of time or transmogrified by restoration.

As a repertory of crosses the collection may claim a creditable place, and its discussions of antiquarian theory and its particular descriptions are

¹ Paul's *Grundriss der germanischen Philologie*, ii. 1028, Strassburg, 1909.

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neither marred by eccentricity nor by dogmatism. Probably the specialist may feel that the vitals of the problems are not always seized, and that scientific archaeology only slips in and out between and among these wonderful old pillars and sockets and fragments of a cult which had its day but has not therefore ceased to be.

There are 199 crosses pictured and 38 lychgates. Particularly happy examples may be referred to, from the author's own camera, viz. the slender and graceful cross of St. Donat Glamorgan and the sombre pillar at Derwen in Denbighshire. The Eleanor crosses in memory of the queen of Edward I. naturally receive special attention, both in picture and in text, that of Geddington being a choice example, while armorial fragments from the Cheapside monument do honour to Plantagenet sculpture. In a brief introduction, what may be called the story of the cross as a medieval emblem in stone is sketched and its varieties of type distinguished, especially Palm crosses, Boundary crosses, Sanctuary crosses and Market crosses. Neville's cross at Durham, scene of a Scottish disaster in 1346, has disappeared, thanks to 'some lewd and contemptuous wicked persons' who in 1589 broke it down. Its characteristics, however, are well described in the *Rites of Durham*, written in 1593. A moderately good account is given of the Preaching crosses, especially that of St. Paul's, from which so often political as well as religious echoes resounded through the land. The space available for archaeological disquisition, no doubt, was inadequate to allow a more detailed historical statement on such subjects as the Northumbrian crosses and the documentary side of the memorials of Queen Eleanor. The author deplures, as well he may, the premature loss of his friend Sir W. St. John Hope, whose promised notes on the Eleanor crosses would have been an invaluable accession of archaeological interest. To many the substantial chapter on Market crosses will be notable for its tendency to exhibit a gradual development of an octagonal or circular type, arched and roofed and usually pinnaced. Comparison with Mr. John W. Small's drawings in his *Scottish Market Crosses* affords room for reflection not always to the discredit of our less ornate ideals. In the matter of the lychgate or covered gateway into the churchyard, of which such rich examples in timber as well as in stone are here presented, Scotland could scarcely enter the lists of comparison at all.

Mr. Aymer Vallance's volume will be found excellent for reference to typical English architectural modes and forms as well as for its tribute to picturesque phases of antiquity.

GEO. NEILSON.

THE EARLY CHARTERS OF THE ROYAL BURGH OF RUTHERGLEN, A.D. 1126-1388. Introduction, Translation and Notes. By George Gray Town Clerk. Pp. 31. Crown 8vo. 1920.

THIS modest pamphlet prints the charter of William the Lion *ante* 1189, that of Alexander II. in 1226, that of Robert the Bruce in 1323, and that of Robert II. in 1388, with a capital facsimile of the charter of 1323 and a map exhibiting the extensive bounds within which the burghal liberties were confirmed by that charter. This facsimile would alone make the print notable, for the document counts among the high vouchers of the

generic Scottish burghal constitution. The editor deserves all the heartier and more grateful welcome into the historical field, as his father George Gray *primus*, town clerk before him, was an honoured student of burghs, and, like his son, a watchful guardian of the privileges of Rutherglen.

The arrangement of preface and documents notwithstanding leaves something to be desired, and the discussion of the characteristics of the charters rather tantalises the enquirer, *e.g.* (1) as to the precise relationship with Glasgow, Partick, Renfrew and Ayr; (2) as to the connection with the county of Lanark; and (3) as to the precise constitution of the 'castellany' embracing the rural area dependent on the castle and defining the limits of the burgh's exclusive privilege. In the translation of William the Lion's charter a critic might demur to 'Provost' as a dubious and premature rendering of a twelfth century *prepositus*. Moreover, it rather seems that *ubicunque . . . attingere possit in cujuscunque terra* relates to the catching of an offender 'anywhere in another jurisdiction,' and that Mr. Gray's 'other rights wheresoever' can hardly be the connotation of *ubicunque* where it occurs. However, these are details perhaps for the next parliamentary committee to determine. The extract from the proceedings of 1912 is an obviously relevant reminiscence of the triumph of Rutherglen.

HELLENIC ARCHITECTURE : ITS GENESIS AND GROWTH. By Edward Bell, M.A., F.S.A. Pp. xx, 185. Illustrated. London : G. Bell & Sons, Ltd. 1920. 7s. 6d. net (in paper wrapper, 6s. net).

MR. BELL practically confines himself to a description of Cretan and Mycenaean architecture and of the Doric and Ionic temples, and a discussion of the origin of the three orders. This task he has very well carried out. His style is easy, pleasantly technical and very lucid; and the book is generously illustrated. He rightly rejects the idea that the Doric order is a close translation into stone of an older timber construction, and insists on the probability of Egyptian influence on the formation of the early Doric column. For it is one of the puzzles of the history of Greek architecture that the slender Mycenaean wooden column seems to have been replaced by the remarkably thick stone columns of the Doric temples. Mr. Bell does not give any idea of what a Greek town looked like. Nor does he explain the Greek conception of art—why they showed such little variety in the general type of the temples, but were always aiming at the perfection of certain forms which they thought beautiful; though he hints at it in this admirable sentence: 'The Doric capital by successive experiments was refined in profile and reduced in diameter until it attained that appropriate and satisfactory relation to the whole column which is shown in the most perfect examples of the order' (p. 121). One misses, in fact, a description of the Acropolis as a whole. The temple of Poseidon at Sunium has been more recently studied than 1900 (p. 107); references should be made to the *Ephemeris Archaeologike* of 1911 and following years. Both the treasuries of Knidos and of Siphnos at Delphi had caryatid porches. But these are small blemishes in this well-written book, which, within the limits indicated, gives a very clear account of the growth of Greek architecture.

A. W. GOMME.

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STAATSTHEORIEN PAPST INNOCENZ' III. Von Dr. Erich W. Meyer. Pp. 50. 8vo. (Jenaer Historische Arbeiten, Heft 9.) Bonn : A. Marcus und E. Webers Verlag. 1919.

DR. MEYER's original intention was to deal with Innocent III's political theories and their application in practice. He found himself however obliged to limit the scope of his investigations to the political system of this Pope, which is, after all, the most important aspect of the subject,—Innocent III's practical policy being in the main an adaptation of his theory.

Recent judgments of Pope Innocent III have been rather unfavourable. Hauck declared in his *Kirchengeschichte* that he was an opportunist who knew no scruples, who often descended to deceit and hypocrisy in order to achieve his ends, who did not shrink from deliberate lying or the falsification of facts. Dr. Meyer makes no attempt to rehabilitate Innocent III, but does not judge him quite so harshly, apparently because he considers that politics have no connection with morality. He sees in this pontiff an aggressive potentate who had no ideal mission. He comes to this conclusion after studying Innocent's letters, which are the chief source of our knowledge.

The monograph is admirable for its clearness and conciseness. There is nothing superfluous in it, but simply a well arranged statement amply supported by quotations. Granted Dr. Meyer's conception of Innocent III's character it is impossible not to accept his conclusions. Where we may possibly differ from him is in the first principles.

JAMES M. CLARK.

Mr. Arnold D. M'Nair modestly describes his scholarly and useful book, *Essays and Lectures upon Some Legal Effects of War* (pp. xiv, 168 ; 8vo. Cambridge University Press. 1920. 10s. 6d. net) as 'a collection of seven essays and lectures upon several aspects of the Effect of War upon the municipal or national law of England.' Some of his readers might have expected him rather to describe his book as a treatise on the principles of private international law as interpreted by the English law courts in the period of the world war. It is an admirable piece of work, at once scholarly and practical, exhaustive and well arranged, well reasoned and clearly expressed. It may be recommended with confidence to all who are in need of guidance on a thorny and important subject.

WM. S. McKECHNIE.

NEGRO MIGRATION DURING THE WAR. By Emmett J. Scott. Pp. viii, 192. Crown 4to. With one Map. Oxford : University Press, 1920. 1 dollar.

NEGRO migrations from the South take place at intervals. One, which comprised thousands, moved to Kansas in 1879, another to Arkansas and Texas in 1888-89, but this work deals with the three years following 1914 when more than four thousand negroes suddenly went northward. This monograph deals with the facts of the migration, its effects on the labour question both in the South, North, Middle West and East, the public opinion on the movement, and gives an extensive bibliography to illustrate this newer portion of the great negro problem.

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CAITHNESS AND SUTHERLAND. By H. F. Campbell, M.A. Pp. x 168. Crown 8vo. With 68 Illustrations and Maps. Cambridge: at the University Press. 1920. 4s. 6d.

A MIXTURE of Picts and Scots, to the last of whom their Christianity was due, occupied Caithness until the ninth century when the Norse filtered in. This book gives, as illustrations of the periods, different brooches which vie with each other. As in most other countries, the Gaels were forced back to the less fertile uplands, while the Norse retained the coasts and grew rich on the corn trade with Norway. In 1150 King David formed the country north of Dornoch into a bishopric, but the early bishops had tragic ends. The country was the scene of the battle of Altmarlach in 1680 between the native Sinclairs and the invading Campbells, and since then matters have been quiet and agricultural. Sutherland, on the other hand, though the name is Norse, is much more Celtic by blood. Continual migrations of Highland clans have made it so. The Mackays arrived early, Murrays later, and Gordons last, and it was through one of those—Sir Robert—that in 1631 Charles I. erected the present county out of that of Inverness. We are given everything we can desire to know about the occupations of the inhabitants, agriculture, fishing and other industries, and enough is said of the antiquities (which are many) of both counties and of the communications to allow the traveller to arrive at their northern locality.

KIRKCUDBRIGHTSHIRE AND WIGTOWNSHIRE. By Wm. Learmonth, F.R.G.S. Pp. 149. Crown 8vo. With 62 Illustrations and Maps. Cambridge: at the University Press. 1920. 4s. 6d.

THIS volume runs on the same lines as the last and is equally successful. We have the same well-chosen illustrations and the same good physical descriptions. The Norse element of the northern countries does not exist so much here though the Northmen conquered Galloway from Northumbria. The people of the country and stewartry were Gaels, and spoke Gaelic until well on into the sixteenth century, and had become Christian since the time of S. Ninian. Fierce and turbulent, Galloway followed its overlords the Balliols and the Douglasses. The Reformation took a great hold, and later the Covenanters. The antiquities include the Deil's Dyke—a rampart of defence from the north—and the crosses of Kirkmadrine, perhaps the earliest Christian monuments in Scotland. These are included in the illustrations, as are 'Candida Casa' and Dundrennan Abbey, founded by Devorgilla Balliol and known as 'Dulce Cor.' Threave Castle, the centre of a storm-tossed past, also figures among the Military Antiquities. There is the same care to instruct the tourist in all ways as in the last book, and the writer has done well.

A. F. S.

TWO CENTURIES OF LIFE IN DOWN, 1600-1800. By John Stevenson, Belfast. Pp. viii, 508. 8vo. With 46 Illustrations. McCaw, Stevenson & Orr, Ltd. 1920. 21s. net.

THIS volume is evidently a successful labour of love. The latter part of this book deals with the kirk, education, letters and doings in Down, much of it connected with descendants in the female line of the Hamilton

family, who with the Montgomerys are dealt with in the first few chapters Brian McFelim O'Neill, Chief of Southern Claneboye, was knighted in 1567 by Queen Elizabeth, yet she granted his lands to Sir Thomas Smith four years afterwards that the people 'might be taught some civility.' A later O'Neill—Con—made a grant of part of his lands to Hugh Montgomery of Braidstone, having fallen into disfavour with James I., but later Montgomery, by the King's action, had to divide his newly gained Irish lands with Sir James Hamilton, son of the minister of Dunlop, who was made Viscount Claneboye in 1622. The other adventurer became Viscount Montgomery of the Ards, and his descendants Earls of Mount-Alexander. These great pioneers were followed by many settlers both English and Scots. 'Generally the scum of both nations, who for debt, or breaking or fleeing from justice . . . came hither, hoping to be without fear of man's notice in a land where there was nothing, or but little, as yet, of the fear of God.' Yet both the lesser and the greater settlers flourished, and we are told much of interest about the turbulent but useful lives of the latter in this book, where information drawn from MSS. of all kinds is put together in a form useful to historians.

A. F. S.

THE EASTERN QUESTION AND ITS SOLUTION. By Morris Jastrow, Jun. Pp. iv, 160. Crown 8vo. Philadelphia : J. B. Lippincott Co. 1920. 6s.

THE writer is trying his hand again, but his spirit of prophecy is growing fainter. He appeals more to American than to European readers on his views of the Eastern question. He makes the statement, 'If the world continues to be in a disturbed and restless condition, we will suffer along with European nations.' Yet he only thinks that American help to the East ought not to be refused if it can be given 'without an army of occupation' or 'the danger of entangling alliances.' With these provisos we refer the reader, as he does, to the last chapter of his book.

GREAT BRITAIN AND THE UNITED STATES. A Critical Review of their Historical Relations. By J. Travis Mills. 8vo. Pp. 68. Milford, Oxford University Press. 1920. 2s. 6d. net.

TOUCHED with a welcome liveliness this sketch of the political relationships between the two great English-speaking federations of the world from the assertion of American independence down to the League of Nations excellently surveys the movement of the international forces of concord and discord for a century and a half. Perhaps it least satisfies from its deficient interpretation of the basic feeling, for instance, of the American colonist before the Revolution or of the Federalists of the Civil War towards the old country. One hardly gathers how Mr. Mills reads the settled mind of America towards our island. But evidently he regards the Monroe doctrine as finely compatible with fairplay in the world.

THE COLUMBIAN TRADITION ON THE DISCOVERY OF AMERICA AND OF THE PART PLAYED THEREIN BY THE ASTRONOMER TOSCANELLI. By Henry Vignaud. 8vo. Pp. 92. Oxford : Clarendon Press. 1920. 3s. 6d. net.

THE voyage of Columbus has now perhaps a bigger mass of myth and disputation around it than that of Jason. Mr. Vignaud disbelieves the

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statement of Columbus that the 1492 expedition was in quest of a new route to the East Indies, and he assails the 'legend' of Toscanelli being the instigator, and declares spurious the documents attributed to him. A critic, not specialist on the question, may confess that to his view the attack quite fails.

MEDIAEVAL FORGERS AND FORGERIES. By T. F. Tout. Demy 8vo. Pp. 31. Manchester : University Press. 1920. 1s.

REPRINTED from the *Bulletin* of the John Rylands Library, this essay throws much fresh light on the origins of forgery, the methods by which it worked its way from charters into chronicles and decretals, its slow recognition as a crime, and its ramifications through the Middle Ages not terminating when Charles Bertram hoodwinked the antiquaries with 'Richard of Cirencester de Situ Britanniae.' Professor Tout's light and humorous narrative clothes a very solid collection of fact. Perhaps a grateful reviewer might refer the professor to the *Summa Angelica* of Angelus de Clavasio, under the word *falsarius*, for four packed columns of medieval juridical discussion.

THE ART OF POETRY. Inaugural Lecture delivered before the University of Oxford, 5th June, 1920. By William Paton Ker. Crown 8vo. Pp. 20. Oxford : Clarendon Press.

A CRITIC who has studied the art of poetry all his life can scarcely be expected to give a simple exposition of it when he speaks to us from the Chair of Poetry at Oxford. He is a difficult interpreter sometimes ; this time more difficult than ever, but the grievance against the obscurity of oracles is old. And the reasons for obscurity are not new. Beginning with a stately passage out of Drummond somewhat objecting to reform in Poesie, Professor Ker steps forward to explain the mysterious power of certain formulas, abstract relations of syllables, the abstract frame of harmony in noble thought. He finds the spirit of poetry in Gavin Douglas's fine phrase 'plesance and half wonder.' He seems to prefer the miracles, 'such as Burns did,' in bringing new and fresh things out of old fashions, rather than violent inventions of form. It is a doctrine with which only a very young generation of poets is likely to quarrel. The oracle will be accepted as not only true but imperative in these most shrewd and wise beginnings of Professor Ker's latest and highest function.

To the series of county handbooks issued by the Cambridge University Press there are now added *Dumbartonshire*, by F. Mort (pp. viii, 158, 4s. 6d. net), and *Orkney and Shetland*, by J. G. F. Moodie Heddle and T. Mainland (pp. xii, 170, 4s. 6d. net). A natural diversity of interest among the authors agreeably distributes the emphasis, throwing it on geological and physical geography in the case of Dumbartonshire, on the Norse history and antiquities of Orkney and on the fishing and bird-life of Shetland. Mr. Mort quotes Blind Harry as if he were historically credible and he accepts 'Wallace's great two-handed sword' as the patriot's genuine weapon. The Macgregors will not think that their side of the case has justice done to it. The unusual constitutional interest of the

formation of the county has escaped attention, and the significance of 'the Murragh' in that connection might well have appealed to Mr. Mort. One wonders on what authority it is said that 'as early as 1170' Kirkintilloch was made a burgh of barony.

In the Orkney and Shetland book Mr. Heddle takes the former group of islands for his province and Mr. Mainland takes the northern group. Mr. Heddle is a specialist, and his chapters on natural history and on history and antiquities compress much observation and study. Norse speech, he tells us, lingered until 1750. One topographical feature which has for some years aroused attention has unfortunately not been taken up: it is the relationship by way of journey in early times between Orkney and the mainland of Scotland. A law paper of the eighteenth century reveals the fact that 'John o' Groat's' was the house of the ferryman to the Orkneys. This explains much and accounts for the fame of the familiar but tiny place known more or less to every schoolboy or girl who has to learn Scottish geography. This fame it has plainly because of its vital position on the line of the great northern highway to Ultima Thule, wherever that was. The ferry was, of course, a normal part of the ancient roads. What was the Orkney end of it? And what was its continuation to Shetland? A historical term of abuse, the 'ferry-loupers' (applied to Scots intruders), illustrates the important part the ferry played in Orcadian life.

Dealing with Shetland, Mr. Mainland might have made more of the whale fishery and its customary lore. History fares less satisfactorily here than in Orkney, but special notes on Norse words and on the wild life of these remote isles make up for some historical shortage. The picture of a shoal of whales is most impressive, but the maps—both of Shetland and of Orkney—would admit of improvement in distinctness.

The Western Towers of Glasgow Cathedral, by J. Jeffrey Waddell (4to, pp. 8) is a reprint from the Scottish Ecclesiological Society's *Transactions*. It deplores the removal of the towers in 1846 and 1848: and Mr. Waddell has the courage to propose their re-erection as a war memorial.

A recent *Bulletin* (History and Political Science) of Queen's University, Kingston, Canada, *John Morley: a Study in Victorianism*, is a fine essay by Professor John L. Morison. No such glowing paper has appeared in the series to which it belongs. The Victorian Morley gets his meed, perhaps with something over, and the appreciation illustrates the influence which his high and distant spirit exercised over the generation which felt him at his prime. Striking things in the estimate are (1) the admirably drawn contrast between Morley and Arnold, (2) the sketch of Morley's transition through journalism to high politics, and (3) the poised judgments upon *Gladstone's Life* as compared with the *Reminiscences*. The view perhaps leans too greatly to the favour of the former. Some critics may prefer to see in the latter the last and greatest word of Morley—a consummately ambitious literary performance, singularly combined with an unexpected proconsular revelation not too welcome.

The latest issue of the *Bulletin* is *Elizabethan Society: a Sketch*, by J. B. Black. It is a clever composite picture of the period, deducing its mentality

from contemporary authors. The inference, however, of a 'callous and cruel heart' and of an 'unprincipled scramble for wealth' is most likely no truer than similar generalisations would be to-day. Professor Black, whose sojourn in Canada has been short, writes with a marked culture of the art of expression, and bids fair to achieve a style. This essay garners many quotations round which its propositions crystallise.

Two of the 'University of Illinois Studies' have reached us. One is *The History of Cumulative Voting and Minority Representation in Illinois* (University of Illinois, Urbana; 8vo, pp. 71), in which Dr. Blaine F. Moore claims that the cumulative method in practically all cases secures minority and even proportional representation, although admitting that when parties are closely balanced party initiative tends to be crippled. The other is Dr. J. W. Lloyd's *Co-operative and other Organized Methods of Marketing California Horticultural Products* (*ibid.* pp. 142), which states and examines the conditions of the fruit trade in all aspects.

The July issue of the *English Historical Review* excels in variety. It opens with an important constructive paper by the editor, Dr. R. L. Poole, on the 'Masters of the Schools at Paris and Chartres in John of Salisbury's Time.' This is a biographical commentary on this author's *Metalogicus*, written towards 1160, in which his studies in France are described. The most interesting feature of the article is its examination of the *Metamorphosis Goliae Episcopi*, describing a group of doctors in divinity, philosophy and rhetoric circa 1142. William Miller discusses the Venetian Revival in Greece in the stand against the Turk, 1648-1718.

G. Davies returns to an old problem, namely, that of James Macpherson and the papers of David Nairne. In 1896 Col. Arthur Parnell submitted reasons for his belief that Macpherson had forged certain of those papers to discredit the loyalty of Marlborough. The re-examination of the question (one is glad to note, without prejudice to Ossian) results in a thoroughgoing vindication of Macpherson's honesty. Dr. Round writes on the 'waite-fe' or payment to the castle watchmen of Norwich in the twelfth and thirteenth centuries.

Prof. F. M. Powicke supports Prof. M'Kechnie's interpretation of *abbrevientur* (*i.e.* to be 'shortened') in Number 13 of the Articles of the Barons in 1215. H. G. Richardson prints documents of Edward III.'s reign proving forgeries of fines. Margaret Tout (a name one welcomes) adds to the vouchers of Bracton's 'Comitatus Paleys' of Chester (1238), a plea roll of that shire in 1310, styling it 'comitatus pallacii.' The Royal Charters of Winchester from Edward the Confessor to Henry II. are edited—there are forty-nine of them—by V. H. Galbraith with excellent annotations.

Somersetshire Archaeological and Natural Society Proceedings during the Year 1919 (fourth series, vol. v. pp. lxxxiv, 163; Taunton, 1920) demonstrate the maintenance against all adverse conditions of a high spirit not only in research but also in the adventure of production now grown so difficult. Matter of the first merit appears in Sir H. Maxwell Lyte on 'Burci, Falaise and Martin,' Norman settlers in Somerset at the

Conquest. Equally valuable and richly illustrated is an instalment of Dr. A. C. Fryer's 'Monumental Effigies in Somerset,' devoted to thirteenth-fourteenth century civilians and of importance for feminine costume. Mr. Henry Symonds, under the heading 'A By-Path of the Civil War,' edits a bundle of transcripts of local documents dating from the spring of 1645 and relative to the political disturbances of the period. The paper is water-marked 'G. & S. 1812.' May these transcriptions not have been done for the old Record Commission, the 'copy' for which did not all reach print, and sometimes passed into private hands?

The final chapter—unfortunately final in more senses than one—of Lord Guthrie's articles on R. L. Stevenson appears in the June number of the *Juridical Review*, brightened by three sketches of corners of Swanston Cottage and by several quotations from the correspondence of the Stevenson circle. Mr. C. M. Aitchison writes on 'Courts-Martial' and Dr. Th. Baty on the 'Basis of Responsibility,' the latter showing the present tendency to carry the source of liability beyond tort to something like an obligation of insurance.

The Caledonian, as 'An American Magazine,' is miscellaneous and comprehensive in its May number, which includes a portrait of Rev. Donald MacDougall, a native of North Uist, founder of the paper, who died in March this year. Themes of this issue include Clan Skene, 'Glasgow Scenes and Memories,' and chronicles of transplanted Scots. In June Clan Gunn has its biography, and Judge Benet trounces 'the Sinn-Fein Circus.' A reprinted poem, 'The Kirky Brae,' recalls the many-sided interest of Cromarty and its kirkyard.

The issue of this magazine for August *apropos* the reinterment of Major Duncan Campbell, hero of Stevenson's poem 'Ticonderoga,' repeats in an article by F. B. Richards the half legendary story of Jane M'Crea, who was assassinated in 1777 by an Indian chief. One of the illustrations is a plate of the Major's tombstone. He died in 1758 'of The Wounds He Received In The Attack of The Retrenchments of Ticonderoga.'

It strikes us on this side of the water as a novel experiment to find the *Iowa Journal of History and Politics* devoting the entire October (1919) number to a statement of the legislation effected by the Thirty-eighth General Assembly of Iowa which met January 13, 1909, and adjourned April 19 following. Perhaps, however, no better mode could have been devised to mirror the public spirit seen in a State Legislature. Out of 1,134 bills and resolutions introduced 406 were passed. Subjects embraced codification, woman suffrage, state officers and salaries, powers of the governor, municipal management, highways, motors and schools—all types familiar to ourselves. Food and drugs, housing, liquor, hotels, corporations, taxation, the 'red flag' are all here too. America is only Europe writ over again. One real novelty there is: a statutory authority to a sick or storm-stayed judge to adjourn his court by telephone! The patient and very instructive analysis of the enactments is the work of Assistant Professor John E. Briggs and Instructor Cyril B. Upham, both exponents of Political

Science in Iowa State University. One Americanism is interesting: 'dead timber' signifying laws in desuetude.

In the *Iowa Journal* for April the chief contribution is G. F. Robeson's article on 'Special Municipal Charters in Iowa, 1836-1858' exhibiting the methods and conditions of incorporation and the powers, offices and organisation. Taxation was jealously regulated, the average maximum being a half per cent. on the assessed valuation of taxable property. Finance, schools, fire, liquor control and the constitutions of mayorate and judiciary were subjects of definition. In the score of years reviewed sixty special charters were granted to forty cities and towns. In 1858 special incorporation was forbidden, and a General Incorporation Act substantially reaffirmed the former special provisions. A description of 'North-western Iowa in 1855' by a surveyor, J. L. Ingalsbe, contains particulars of Red Indian characteristics, which rather serve the part assigned to them as 'antidote to Hiawatha.'

The *Iowa Journal* for July has an article by Charles R. Keyes discussing the materials for local archaeology in which the effigy mounds are the most distinctive element although rivalled by the linear mounds and conicals. Neither the linears nor the effigies, however, have produced relics. The great enclosures with earthen ramparts have been the chief sources of archaeological treasure in stone and copper implements and ornaments.

As is usual in such phases of enquiry, the American investigators started with theories of a vanished race of mound builders, greater than the types known to the oldest settlers. This view of the mound builders as a separate people has gradually given way before the advancing opinion tending to establish the red man as the builder race. The modern archaeologists are concerned equally with mound exploration as the primary task and with the difficult problem of the permanent preservation of the finds as well as of the mounds themselves, the disappearance of which would be an irreparable loss. Antiquity best retains its hold by continuing visible.

In the same number Donald L. M'Murry, writing on the 'Soldier Vote' in the election of 1888, recalls the hubbub in 1887 that followed President Cleveland's order for the return to the Southern States of certain captured Confederate battle flags held by the War Department. He had to cancel the order. In 1905 they were returned without protest. Shall we ever send back to Ireland the cannon taken at the Boyne?

The *French Quarterly* for March contains an important article by M. Lanson on '*Le Discours sur les passions de l'amour, est-il de Pascal?*' which no student of Pascal can ignore. The distinguished French writer, after a careful examination, decides in favour of the view that the authorship of this curious treatise must be attributed to Pascal. M. Maillet propounds an interesting theory on '*La Civilisation égéenne et la vocabulaire méditerranéen*,' and M. Albert Mathiey deals with '*Un Project d'alliance franco-britannique en 1790*,' on which interesting light is cast on the secret mission of Pitts' agents, Hugh Elliot and W. A. Miles.

Communications

ALEXANDER, SON OF DONALD, EARL OF MAR. I am indebted to one of my colleagues in the Public Record Office for the following transcript from 'Accounts, etc. (Exchequer), Box 356, No. 8, m. 5 d,' which throws light upon the hitherto unknown fate of Alexander, the third son of Donald, Earl of Mar, who, for convenience of reference, is styled the sixth Earl in *The Scots Peerage*.

The account of him given in that work¹ is as follows :

'3. Alexander, who was imprisoned in the Tower of London by order of King Edward I. on 12 December, 1297, along with Edward Baliol, the son of King John Baliol. No further notice of him has been found.' The writer of the article refers to Bain's *Calendar of Documents relating to Scotland* as his authority.

King Edward I. was absent on the Continent between the dates 22nd August, 1297, and 14th March, 1298. The entry on the Close Roll² of the warrant instructing the Constable of the Tower to take over Edward Baliol, Alexander, son of the Earl of Mar, and Robert de Stratherne from the household of the Prince of Wales is set out in common form, and it does not necessarily follow that the order originated from the king overseas. John Baliol had been transferred to the Tower on 6th August, 1297, and those young hostages were sent to join him four months later. The young member of the house of Mar must have died towards the end of April, 1299,³ after seventeen months of uninterrupted confinement.⁴

It is stated in the *Chronicle of Lanercost*⁵ that in 1337, when Edward Baliol was doing his utmost to wrest the Scottish crown from David Bruce, he informed against three Scottish knights who tried to persuade

¹ *The Scots Peerage*, vol. v. p. 578.

² Close Roll, 26 Edw. I. m. 16. Stevenson, *Documents Illustrative of the History of Scotland*, vol. ii. pp. 251-2, and Bain, *Calendar of Documents relating to Scotland*, vol. ii. No. 964, give m. 17 wrongly. Both these editors have seen that the Close Roll gives 'Septembris' in error for 'Decembris.' The editor of the *Close Roll Calendar* covering the period has overlooked this point.

³ Transcript below.

⁴ Bain, vol. ii. p. 265, where expenses of confinement for 1297-98 in the Tower are given from the Pipe Roll; and transcript below, which gives expenses for last six months before Alexander's death. From the details of expenses in Stevenson, vol. ii. No. dlvi., it is clear that the captives were well treated.

⁵ Stevenson's Bannatyne Club edition, vol. ii. p. 290.

him to break his oath of allegiance to Edward III. and to become an independent and national king. Perhaps at the earlier date there was a similar disposition among the leaders of the Scottish national party, inspired by its victory on 11th September, 1297, at Stirling Bridge and ready to abandon John Baliol as a weak and resourceless king, to adopt Edward Baliol as their leader, try to kidnap him and set him at the head of national resistance ; and knowledge of this disposition, or fear that it might arise, induced the English Council, taking no risks in the absence of their king, to transfer Edward and his young associates from their gentle captivity at Hertford in the household of the Prince of Wales to honourable, but safer, custody in the Tower. Alexander would be both a hostage for the loyalty of his family, then stout partisans of Edward I., and a companion to Edward Baliol.

The account, from which the following is an extract, is a cash account of wardrobe receipts and payments for 1299. 'Stebenbeth' is Stepney.

W. R. CUNNINGHAM.

Radulfo de Stikebourn custodi Alexandri filii comitis de Mar pro minutis necessariis dicto Alexandro emptis per eundem ut pannis lineis caligis sotularibus et stipendio lotricis sue dictum Alexandrum et pannos suos lavantis per dimidium annum xiiij. s. Eidem pro diversis electuariis et speciebus emptis per eundem ad opus ejusdem Alexandri, et pro stipendio cujusdam medici capientis curam ad eundem per xxiiij^{or} dies mense Aprilis per quos languebat ante mortem suam viij. s. ix. d. ob.

Eidem pro expensis factis circa humacionem dicti Alexandri defuncti ut in oblacionibus participatis ad missas celebratas pro eodem die sepulture sue et in factura fosse in qua sepeliebatur, et in uno lapide empto ad ponendum super sepultura ejusdem, et aliis minutis expensis factis eodem die xxij. s. vij. d. per manus proprias apud Stebenheth' viij^o die Maii.

Summa xliij. s. iiij. d. ob.

Pacatur.

A CURIOUS WORD FOR GREAT NEPHEW. In a contract of 1609 is the word **EIROY**, which occurs latinised as **Pronepos** in the sasine following on the contract. The two deeds are amongst the writs of the Lands of Kirnan or Keirnan in the Barony of Glasrie (Argyll), for ages held by a branch of the MacEwir Campbells.

On 29th. Dec. at Dudop. Sir James Scrymgeour of Dudop, Knight Constable of Dundee, and Alexander McEwir eiroy to umquhile Johne McAllester (MaKewir) of Keirnan enter into a contract about the augmented Rental of the 4 marklands of the two Keirnanes and 1 markland of Auchaleck in the Barony of Glastrie, Shire of Argyll, which had long been held of Dudop by the ancestors of Keirnan, and which after Resignation into the superiors hands are regranted at higher feu duty.

Now after perusing the original deed in the Poltalloch Charter Chest I was amused to see that in the Chartulary the word 'eiroy' has been rendered *v^eroy* by a bewildered scribe !

But on examining the sasine taken on — January 1618, which is in the usual Latin, it bears to be in favour of Alexander MaKewir as pronepos of

umquhle Iain (or John) MaKewir of Kerenane, to which the MacEvir Campbell Lairds of Barmolloch and Leckuary and others are witnesses. I think that 'oy' is always the word for grandson, so 'eiroy' is the old word for great-grandson, but I have never before happened to meet it. 'Pronepos' is given in dictionaries as either a nephew's son or great-grandson.

ARGYLL.

Inveraray Castle.

A NOTE ON ROMAN LAW IN SCOTLAND. The Chartulary of Melrose contains a *compositio* or *concordia* between the Knights of St. John of Torphichen and Reginald le Cheyn and his wife Eustachia regarding the right of patronage of the Church of Ochiltree (Howiltre) in the diocese of Glasgow.¹ The parties submitted the dispute to the Bishop of Glasgow and the instrument, which is fortified with the consent of the Cathedral Chapter, embodies his decision. Cosmo Innes attributes the instrument to the reign of Alexander III. (1249-1285-6), and the Bishop concerned was Robert Wishart, who was consecrated in 1272-3. The Bishop decided that the Knights of St. John should receive a yearly payment from the Parish of £14, and that the patronage should remain with Eustachia le Cheyn and her heirs. The payment to the Knights is carefully provided for, and the carrying out of the arrangement is secured by penal clauses and oaths.

The instrument concludes: '*renunciando specialiter restitutioni in integrum per actionem sive per officium judicis petende sue implorande et conditioni ex lege et sine causa vel injusta causa actioni etiam in factum et exceptioni doli et metus et omnibus litteris et indulgentiis a sede apostolica impetratis et impetrandis litteris regiis et omni actioni et exceptioni consuetudini et cavellacioni sibi vel successoribus suis seu haeredibus quocumque jure seu titulo contra supradictam ordinationem vel presens scriptum competentibus vel competere valentibus. Renunciavit etiam praedicta domina Eustachia pro se et haeredibus suis de consensu expresso mariti sui predicti beneficio senatus consulti Vellezani et etiam legis Iulii fundi dotalis et omni juris remedio canonici et civilis sibi et suis haeredibus contra praedictam ordinationem seu praesens scriptum quocumque jure vel titulo competentibus vel competere valentibus.*'

It will be noted that the foregoing clauses contain renunciations of the civil law remedies and pleas such as *In integrum restitutio*, *condictio* and *exceptio*,² and a renunciation by Eustachia le Cheyn, the owner of the right of patronage, of her disabilities under the *Senatusconsultum Velleianum* and the *Lex Julia de fundo dotali*. The whole passage quoted is of interest as evidence that at least some scraps of Roman legal terminology were in use in Scotland in the

¹ *Liber de Melros*, i. 228. In the fourteenth century the Church of Ochiltree was granted by the Bishop of Glasgow to Melrose Abbey, and this probably accounts for the presence of the instrument in the Chartulary of that house.—*v. Registrum Glasguense*, i. 224.

² Cf. *Liber de Calchou*, p. 181, where a similar series of renunciations occurs in an argument of 1287 between Kelso Abbey and the Templars, without, however, the special feature of the Melrose Charter.

thirteenth century; but the renunciation by a married woman of the protection which that law provided recalls an interesting chapter in the later history of Roman jurisprudence.¹

The *Lex Julia* dated from 18 B.C., and the *Senatusconsultum Velleianum* from 46 A.D.² The former, in the words of Sohm, 'prohibited the husband from alienating or mortgaging any *fundus italicus* comprised in the *dos*. Justinian extended this prohibition to any *fundus dotalis* whatever. Not even the wife's consent can make a mortgage or (according to Justinian's enactment) a sale of the *fundus dotalis* by the husband valid. The object is to preserve the land intact for the wife, to whom the *dos* will presumably revert.'³ The significance of the latter and its persistence in the legal practice of most European countries is the subject of Paul Gide's *Etude sur la Condition privée de la femme*. (2nd edition, by Esmein, Paris, 1885.)

The object of the *Senatusconsultum* was to prevent a married woman from undertaking obligations of a cautionary or similar character on behalf of her husband and, by subsequent extension of the enactment by Justinian, on behalf of third parties. Its effect was personal, and in this respect presented a contrast to the *Lex Julia*, which was directed to the property involved. This distinction was pleaded in support of the view that the benefit of the *Senatusconsultum* could be renounced, while the inalienability of the *dos* was independent of the action of the wife. A heated debate on this point marked the revival of Roman law in France in the twelfth and thirteenth centuries—a revival which was followed by a warm recognition by the jurists of the benefits of the *Senatusconsultum*.

During the centuries which preceded this revival the later feudal law imposed no restrictions of this nature on the capacity of a 'landed' wife, but when the study of Roman law was revived, the benefits of the *Senatusconsultum* were embodied both in documents and in customary law. Gide quotes or cites a number of French Charters of the latter half of the thirteenth and beginning of the fourteenth century to this effect, e.g. a Burgundian Charter of 1302 which contains the following renunciation by a married woman: '*Et toutes les choses dessus dictes et une chacune, je contesson de Genove, femme doudit Monseignor Jehan, seinghor de Mireboul, de ma bonne volonté et san cohercion nulle, dou comandement et l'autorité dou dit Monseignor Jehan mon mari, lou veul et ottrois et approvois . . . et renonçons en ce faïdt à certaine science et pas notre saviement . . . à toutes graces et privilèges qui sont ottroïées en favor des femmes, à la loi Julie dous fons de doaire non aliéner et à la loi dou saige Voleyen; à toute hayde de droit decanon et de lois, et à toutes ex-*

¹ It is not safe to infer any extensive knowledge of Roman jurisprudence from the references to Roman law which are found in many of the chartularies of religious houses. Fitting has devoted much ingenuity to tracing the life of civil law through the dark ages by this means, but his conclusions have been successfully challenged by his French colleagues, and notably by Flach. Cf. *Mélanges Fitting* (Montpellier, 1908), i. 383, ii. 203.

² D. xvi. 1 C. iv. 29: Nov. 134 cap. 8 and D. xxiii. 5.

³ *Institutes*, S. 82.

*ceptions, droits, raisons, allégations, deffensions de fait et de droit et autres queles queles soient.*¹

The point of contact between Scotland and Europe in the thirteenth century was probably Normandy. In that duchy the legists found little difficulty in reconciling the provisions of the *Senatusconsultum* with their customary law, and its provisions continued to be in force in Normandy long after they had been abandoned in most of the French provinces. In Normandy again the pre-Justinian view of the *Lex Julia* prevailed which permitted alienation of the wife's heritage with her consent.² Attendance at the Law School of Orleans may have made Scotch students familiar with the much debated questions arising from the *Senatusconsultum*. The canonists, however, had played the most important part in the introduction of the clause by which the benefit of the *Senatusconsultum* was renounced. The Church was interested in removing obstacles from the path of pious ladies who desired to give practical expression to their devotion, and by the time of Pope Alexander III. a papal decretal recognised the right of a married woman to bind herself along with her husband.³

The clause of renunciation of the benefits of the *Senatusconsultum* is frequently found in French Charters of the thirteenth and fourteenth centuries. It was inserted by notaries in many instruments without much reference to their content. It pleased these worthies to make a parade of tag ends of Roman law which exhausted their knowledge of the subject. It is probable that it is to the work of a foreign scribe in the employment of the Knights of St. John that we owe the appearance of the clause in the Melrose Charter. Someone, however, may be tempted to search through the chartularies for further evidence for the thesis that the dotal system, with a Norman complexion, prevailed in Scotland in the thirteenth century. The *communio bonorum* was inconsistent with the disability created by the *Senatusconsultum* and with the provisions of the *Lex Julia*.⁴

DAVID BAIRD SMITH.

¹ Gide, *Op. cit.* 393 n. 1. Viollet quotes an instrument of 1277 which contains a clause to the effect that the wife had had the purport of the S.C. explained to her—'asserens se esse certioratam quod sit senatus consultum Velleianum.'—*Etablissements de St. Louis* (Paris, 1883), iii. 192 n. 5 and 215; cf. Brissaud, *Droit français* (Paris, 1904) ii. 1141 n. 7.

² Viollet, *Histoire du droit civil français* (Paris, 1905), p. 850.

³ *Decret. Alex. III.* Tit. 28, cap. 8.

⁴ Kames' *Elucid.* Art. 1; Fraser, *Personal and Domestic Relations* (Edinburgh, 1846) i. 247 and 322 et seq. Tardif, *Contumiers de Normandie* (Paris, 1896), ii. 244. *De Bueri Maritagii Impedite*; Pollock & Maitland, *History of English Law* (2nd Ed.), ii. 399.

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The Passages of St. Malachy through Scotland

THE movement for the establishment of the continental system of ecclesiastical organization was rapidly progressing in Ireland as well as in Scotland in the early years of the twelfth century. The island was mapped out into separate dioceses, each with a bishop having ecclesiastical jurisdiction within his own area. A like movement was going on in Scotland during the same period when the native church was remodelled after the Roman or continental type. If St. Margaret had much to do with the reformation in Scotland, it may be said that the work was propagated to completion by her son, David I. The movement brought prominent sympathizers over the greater part of Europe into contact. It was taken up so vigorously in Ireland by St. Malachy of Armagh that he may be regarded as one of the principal forces behind it in that country. In the furtherance of his scheme he resolved to visit Rome and seek papal assistance. In the course of his pilgrimages to the Eternal City, he called at Clairvaux where he formed an intimate friendship with its famous abbot, St. Bernard, at that time perhaps the most influential ecclesiastic in Europe. On St. Malachy's second journey to Rome, he was suddenly seized with mortal sickness at Clairvaux and died on 2nd November, 1148, in the arms of St. Bernard.

Almost immediately after his death, an account of his life was written by that prelate. It is mainly from this narrative there may be gleaned almost all that is known of the passages of the

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Irish saint through the south-west of Scotland as he journeyed from his home in the north of Ireland, on his ecclesiastical missions to Rome.

As the trustworthiness of St. Bernard's narrative is of the greatest importance, it may be well to glance at the date when it was written and the sources from which this foreign ecclesiastic obtained his information. The internal evidence supplies all that is needed to give satisfaction. As St. Bernard died on 20th August, 1153, the margin between the death of St. Malachy and that of his biographer is only small: indeed as Henry, prince of Scotland, not to speak of King David his father, is spoken of as then alive, the work must have been completed before 12th June, 1152. There is no need to strain circumstantial allusions in the text that the date of the narrative may be brought into a narrower compass.

The sources of St. Bernard's information are also satisfactory. The intimacy between the two saints, while St. Malachy was a guest at Clairvaux on three occasions, adumbrates that the narrator's facts and impressions were gained at first hand. In addition, four companions of St. Malachy were left behind in Clairvaux on the occasion of his second visit that they might be instructed in the Cistercian mode of life. There is indication also that St. Bernard had formal memoranda before him of the saint's movements and aims, supplied either by the Irish brethren at Clairvaux or communicated by correspondents in Ireland. The task of writing the Life of St. Malachy was undertaken by desire of one of these correspondents and it was afterwards dedicated to him. The completed work, as stated by its author,¹ was not panegyric, but narrative: its truth was assured since the facts had been communicated by persons in Ireland, for beyond doubt they asserted nothing but things of which they had the most certain information. The Scottish reminiscences, however, must be referred to the oral relations of St. Malachy himself, or more probably to those of his companions. Though St. Bernard states that he omitted to mention the places where St. Malachy's miracles were wrought, owing to the barbarous sound of their names, he did not adhere strictly to his rule when incidentally describing the saint's passages through Scotland. The number of places named in that country, when compared with similar mentions in other countries through which the saint travelled, seems to suggest a special interest in the author's

¹ *Vita*, preface.

mind. Though it cannot be claimed that St. Bernard was personally acquainted with King David, there is no doubt that he was interested in the ecclesiastical movement in which that king was so deeply immersed. From his narrative we get the earliest mention of some place-names in Galloway and some tantalizing allusions, the elucidation of which may well be the subject of debate.

It will not be necessary to discuss at large the dates of St. Malachy's journeys, as there can scarcely be a second opinion about them. Professor Lawlor¹ has recently studied the period with such circumspection that others may not glean where he has reaped. But so far as we are here concerned, chronology as to day and month has no need to be exact. The approximate time of his several journeys is quite sufficient for our purpose. It may be taken that he passed through Scotland to and from Rome in the same year, 1140, and that his second journey outward was made in 1148, the year of his death at Clairvaux. The Irish saint thus made three separate journeys through the south-west of Scotland, twice in 1140 and once in 1148, though it is venturesome to assume that on all occasions he pursued exactly the same route.

Though the ecclesiastical status of the regions in Scotland through which he passed is not so well defined as one would wish, there is no uncertainty at all of their political unity at that time. Within the period, 1140-1148, the territorial boundary of Scotland on the south-west, the scene of St. Malachy's pilgrimages, was fixed at the Rerecross on Stainmore on the very border of Yorkshire. The north-eastern or greater part of Cumberland and the eastern half of Westmorland were integral portions of the Scottish kingdom as well as the whole of modern Scotland. This lesson in political geography must have been known to St. Malachy and his companions, and if not, it must have been taught them by their intercourse with King David, or learned from their own experience on their journeyings. Without a doubt a knowledge of it is assumed by St. Bernard in his narrative. When, therefore, the name of Scotland is mentioned in the Life of St. Malachy, it must be understood as

¹See his 'Notes on St. Bernard's *Life of St. Malachy*' in the *Proceedings of the Royal Irish Academy*, vol. xxxv. Section C, No. 6, pp. 230-264, which may be taken as an introduction to his translation of St. Bernard of Clairvaux's *Life of St. Malachy of Armagh* (S.P.C.K., 1920). These studies when viewed together form an exhaustive analysis of what is known of St. Malachy's place in history.

implying the larger Scotland as it existed when St. Bernard wrote, the Scotland under the rule of King David, during the usurpation of King Stephen in England.

A study of St. Bernard's vague narrative of the first pilgrimage only shows that St. Malachy set out to Scotland from some unmentioned place in Ireland early in 1140. After certain administrative preparations had been made, 'St. Malachy set out on his journey, and when he had left Scotland, he reached York.'¹ Though the narrator says nothing more, it is suggested that the place of his departure from Ireland was at Bangor, the saint's headquarters at that period, and that he sailed to the opposite coast. The suggestion is at least plausible. From an early date the northern shore of the Rhins of Galloway has been regarded as a landing place from the north of Ireland. It was on that coast *in portu qui Rintsnoc dicitur* that the stone curroc, which carried St. Cuthbert and his mother, found a haven. Though the statement comes from a fabulous composition,² it has some reference to an early tradition about the connexion of Ireland and Galloway, and its value is enhanced by the admission of the author that much of what was contained in his pages had been related by St. Malachy to King David. He had been evidently reading St. Bernard's Life of the saint and the belief was then current that the Rhins afforded a convenient port for a sea passage from Ireland.

In any case there is no possibility for dispute that St. Malachy must have passed through Carlisle on his way through Scotland to York, and there is nothing unreasonable in the conjecture that he had made the acquaintance of King David on his journey, though St. Bernard is silent about it. From what had transpired in the metropolitan city, we learn something of his mode of travel. He had with him five priests besides ministers and other clerks, perhaps twelve companions in all, the traditional number after the sacred model. Such was the composition of the cavalcade on the first journey through Scotland. But as there were only

¹ *Vita*, § 35.

² The phrase is noteworthy: 'et miro modo in lapidea devectus navicula, apud Galweiam in regione illa, quae Rennii vocatur, in portu qui Rintsnoc dicitur, applicuit. In cujus portus littore curroc lapidea adhuc perdurasse videtur' (*Miscellaneous Biographica*, Surtees Soc., p. 77). At the conclusion of this fabulous 'Libellus de ortu S. Cuthberti' (p. 87) the author states that 'Sanctus equidem Malachias regi David Scottorum quam plurima de hiis retulit,' as he had previously insisted in his preface, that his story of the Irish origin of St. Cuthbert was supported by good evidence.

three horses for the company, it is clear that progress was made at a walking pace.

It may be noted also that the stay at York was long enough for the news to spread, and there was time enough for a visit from Waldeve, stepson of King David, who was at that time prior of the Augustinian monastery of Kirkham, some sixteen miles from the city. A previous acquaintance, as Raine suggested,¹ is scarcely possible. It is far more likely that the fame of St. Malachy and the errand on which he was engaged were attracting notice in England. The death of Archbishop Thurstin took place on 5th February, 1140, about the time that St. Malachy reached York, and as Prior Waldeve is said² to have been a candidate for the vacant primacy, interest in a famous ecclesiastic on a journey to Rome would be a powerful incentive. At all events the Prior did not lose the opportunity of conferring a favour on the distinguished pilgrim to whom he gave the hack (*runcinus*)³ on which he rode.

The return of St. Malachy from Rome and Clairvaux was not long delayed. It is supposed that he reached Scotland in the autumn of the same year, 1140. The account of his exploits on the homeward journey far exceeds in detail what St. Bernard tells of him in other countries. The names of places through which he travelled are sparingly given, and they are only mentioned for the purpose of illustrating some marvel which the saint performed. The identification of some of these places, so obscure are allusions to them, is often precarious, and the places mentioned in Scotland are no exception to the rule. But, first of all, the narrative of St. Bernard should be approached from the right view-point. The narrator is writing in Clairvaux and describing the outward journey of St. Malachy from that place to his home in Ireland. 'Malachy set out from us,' he⁴ says, 'and had a prosperous journey to Scotland (*prosperè pervenit in Scotiam*), and he found King David, who is still alive to-day,

¹ *Priory of Hexham* (Surtees Soc.), i. 139, 157.

² Raine, *Fasti Ebor.*, i. 222. On the authority of the Bollandists (*Acta SS.*, Aug. 3) Raine states that Waldeve would have been elected if King Stephen had not interfered. The King was afraid that Waldeve, owing to his relationship to King David, would play, if elected, into the hands of the King of Scots. The view taken by the hagiologists may be seen in Fordun, *Scotichronicon* (ed. Goodall), i. 343-4.

³ *Vita*, § 36.

⁴ *Vita*, § 40; Migne, *Patrologia*, vol. clxxxij. 1095.

in one of his castles (*in quodam castello suo*), whose son was sick unto death.' Need there be any ambiguity about this statement? ¹ There is no mention of Carlisle, which was at that time well within the Scottish Kingdom. The castle there, which was King David's headquarters, is the only place that will fit into the historical setting and harmonize with the details of the story. For political reasons, in view of the recent annexation of the province, the king had made Carlisle the southern capital of his kingdom: there he built, if we can believe the chronicle of Huntingdon,² a very strong citadel (*fortissimam arcem*) and heightened the walls of the city. Many incidents took place in Carlisle touching the life and movements of the royal family, not only of King David, but of Prince Henry and his wife the Countess Ada, to whom he was married in 1139. The meeting of St. Malachy with the family at Carlisle in the autumn of 1140 is not inconsistent, so far as I know, with any recorded event in their lives: in fact, the circumstances of the narrative presuppose it. By necessity the saint must have passed through Carlisle on each of his journeys, and from what transpired on this occasion it would seem that he had met King David before. At all events

¹ The identification of this place is largely dependent on a right interpretation of this passage. O'Hanlan says that 'on his arrival in Scotland, he paid a visit to the Court of King David,' and makes no attempt to identify the castle (*Life of St. Malachy O'Morgair*, p. 80), but Dr. Lawlor suspects an error in the narrative here, and translates that 'Malachy had a prosperous journey through Scotland,' assuming 'that the castle referred to was in the immediate neighbourhood of Cruggleton,' near Whithorn, where probably King David had been on a visit to Fergus, lord of Galloway (St. Bernard's *Life of St. Malachy of Armagh*, p. 76). Will the passage bear this interpretation? St. Malachy had not yet passed through Scotland; he had only come into it. Compare the usage of *perveniens* in the parallel passage of Aelred at this period when describing the flight of King David to Carlisle after the Battle of the Standard—'Sicque ad Carleolum usque perveniens' (Twysden, *Decem Scriptores*, col. 346). The tenor of St. Bernard's story, too, presupposes that it was one of the monarch's own castles in which St. Malachy found him with his sick son, not in a castle of one of his magnates, where he had been the guest.

² *Chronicles of the Picts and Scots* (ed. Skene), p. 212. It was natural that the Scottish king should seek to protect his new capital on the south of the city against the English, as William Rufus had built the keep of the castle on the north against the Scots. The *fortissima arx* of King David, now represented by the Courts of Carlisle, was known as the Citadel of Carlisle so long as the city remained a fortified town. Mr. George Neilson propounded an ingenious argument in 1895 that the *arx* King David built was the keep ascribed to Rufus (*Notes and Queries*, 26th Oct., 1895, No. 200, pp. 321-3). If this be so, how could an *arx* built in 1148 be described as 'la grant tur antive' in 1174 (*Chron. de Jordan Fantosme*, l. 615, Surtees Soc.)?

the news of the Prince's illness ¹ directed his steps to the castle. The cure was not instantaneous: the saint's ministrations did not take effect till the following day, when the young man (*iuuenis*) was restored to health. There was joy in the castle at his recovery. Declining an invitation to remain some days with the royal party, St. Malachy pursued his journey in the morning.

The next stage of the journey home, mentioned by St. Bernard, was in Galloway, where he healed a dumb girl at Crugeldum: then he entered a village which the people called Kirkmichael (*ecclesia sancti Michaelis*) where another cure was effected. But when the saint came to the *Portus Lapasperi* he embarked for Ireland, after waiting some days for a passage. The topographical allusions here are for the most part very puzzling. The traditional interpretation is that St. Malachy cured the mute girl at Cruggleton ² in the parish of Sorby, nor far from Whithorn, from which he passed to Kirk Mochrum, whose ancient church is said to have been entitled in the name of St. Michael.³ Later on, he went to Cairngarrock, which is alleged to be Gaelic for *Portus Lapasperi*, a few miles south of Downpatrick, and from that place he crossed over to Bangor on the opposite coast.

The suggestion that St. Malachy travelled in the peninsula between Luce Bay and Wigtown Bay raises no misgiving. It was natural for him to choose a route well trodden by a constant stream of pilgrims before the Reformation. Whithorn was the cradle of Scottish Christianity and St. Ninian's grave was one of the holy places of Scotland. The mention of the village of Cruggleton in that neighbourhood lends credibility to the theory, and on the supposition that the church of Mochrum was a St. Michael's church and that there were no other ancient churches of that dedication in the vicinity, the exact locality may be said to be well authenticated. But to send St. Malachy from the

¹ Prince Henry a short time before the visit of St. Malachy had been severely mauled at the siege of Ludlow in 1139, 'ubi idem Henricus unco ferreo equo abstractus poene captus est, sed ipse rex eum ab hostibus splendide retraxit' (Henry of Huntingdon, *Hist. Anglorum*, p. 265, R.S.) King Stephen, after making a treaty with King David, brought back Prince Henry with him to Ludlow. According to Sir Archibald Lawrie, who calculates that the Prince was born about 1114 (*Early Scottish Charters*, pp. 277, 321), St. Bernard's *iuenis* would be then about 26 years of age.

² O'Hanlon, *op. cit.*, pp. 80-81.

³ Lawlor, *op. cit.*, p. 78.

south of the peninsula on a tour round by Glenluce that he may get to Cairngarroch strains reasonable belief. There is no real evidence alleged that either of the three Cairngarrochs on opposite sides of the Rhins of Galloway was ever a port of passage to Ireland or elsewhere. The etymology, moreover, which explains the Gaelic name as the equivalent of *Portus Lapasperi*¹ in Latin is exceedingly insecure. If etymology is admitted to this discussion, Portyerrock, the outlet by sea of that peninsula, is far more likely. Its usage as a port² seems to be well established both before and after St. Malachy's peregrinations.

The narrative of St. Bernard gives no clue to enable us to account for the saint's presence on the peninsula. When he crossed the river Cree, he would have made for Glenluce if he was aiming to sail from the Cairngarroch a little to the south of Downpatrick. Such would have been the direct route. But he made a detour to Whithorn. Why was this? We have already suggested that it was to visit one of the holy places, but the purpose of St. Malachy's presence there becomes more easily accounted for on the understanding that he had made no detour at all, but was pursuing a direct journey to reach his port. If the traditional identification of the *Portus Lapasperi* as one of the Cairngarrochs be abandoned, St. Malachy's itinerary in the peninsula provokes no suspicion. On the assumption that Portyerrock was his destination, the incidents of the narrative fall into their natural places. There is no

¹ Dr. Lawlor departs from the Benedictine text of *Laperasperi* (Migne, *Patrologia*, vol. clxxxij, 1096) and substitutes *Lapasperi* throughout his translation; the change is a happy emendation and makes the word more intelligible. But it is doubtful whether the philological claims of Cairngarroch are so strong and well grounded as those of Portyerrock to account for all the elements in *Portus Lapasperi*. The letter g at the beginning of a syllable not infrequently becomes y in modern speech.

² Dr. Skene identifies the 'Beruvik' in Nial's Saga with Portyerrock where the Norwegian chiefs laid up their ships after the Battle of Cluantarbh, from which they fared up into Whithorne and were with Earl Melkoff or Malcolm for a year (*Celtic Scotland*, i. 390). It was from this port 'in Galueia apud civitatem Witerne' that Cardinal Vivian sailed to the Isle of Man in 1176, some 35 years after St. Malachy's visit to that region (*Benedict Abbas*, R.S., i. 137; Twysden, *Chron. Joh. Bromton*, col. 1111). As Cruggleton is close by, there is nothing adventurous in suggesting that it was to Portyerrock that John Comyn, earl of Boghan, brought the lead ore which he dug 'in our mine of Calf' in the Isle of Man in 1292 for the purpose of covering eight turrets on his castle of Crigelton in Galloway (*Cal. of Patent Rolls*, 1281-02, p. 497; Stevenson, *Documents*, etc., i. 329).

good ground for attributing to early travellers a disinclination for sea voyages, or a desire to cross the sea by the shortest passage between land and land. The sea-borne trade of Scotland with France and Flanders was conducted from Scottish, not English, ports.

The delay of St. Malachy, during the time he was waiting for the sailing of his ship, was not passed in idleness. In the interval an oratory ¹ was constructed of twigs woven into a hedge, he himself working as well as supervising. When it was finished, he surrounded it with a wall and blessed the inclosed space for a cemetery. The place became a shrine afterwards, as St. Bernard relates,² where miracles occurred as it was reported to him up to the time he wrote. Returning to the port, St. Malachy embarked in a ship and after a prosperous voyage landed at the monastery of Bangor,³ but the time it took to complete the passage is not mentioned.

St. Bernard does not tell us the name of the place in Ireland from which St. Malachy embarked in 1148 on his second journey to Rome for the palls, but from whatever port he sailed he arrived in Scotland on the same day. When he went on board and had completed nearly half the voyage, suddenly a contrary wind drove the ship back and brought it to the land of Ireland again. In the morning, however, he went on board again, and the same day, after a prosperous crossing came into Scotland. On the third day he reached a place called *Viride Stagnum*: which he had prepared that he might found an abbey there, and leaving some of his sons and brothers as a convent of monks and an abbot (for he had brought them with him for that purpose), he bade them farewell and set out on his journey.⁴ Attempts at identification here are clearly futile. There is no foothold, except *Viride Stagnum*, which is descriptive of many pools in Galloway, where the saint founded a monastery presumably of Cistercian monks. It is 'surely a mistake,' as Keith⁵ long ago suggested, to identify it with Souleseat where

¹ The action of St. Malachy in this respect was very irregular and betokened the backwardness of the ecclesiastical movement in Galloway. There is no reference to a Bishop of Candida Casa, without whose consent a new chapel or oratory could not have been erected there (Robertson, *Stat. Eccl. Scot.*, pp. 11, 258; Wilkins, *Concilia*, i. 382, 415). But the saint was acting like John Wesley as if the whole world was his parish.

² *Vita*, § 41.

³ *Vita*, § 42.

⁴ *Vita*, § 68.

⁵ *Scottish Bishops* (ed. Russel), p. 398. The whole of the story here is very inscrutable. St. Bernard seemed to think that a monastery could be founded by

Fergus, lord of Galloway, founded¹ a monastery of Premonstratensian canons before 1160, that is, a little before or a little after St. Malachy's foundation. The obscurity here will probably always remain a mystery.

In order to find another stage of the journey of St. Malachy in Scotland, we must turn from the narrative of St. Bernard to the pages of the Chronicle of Lanercost² where there has been preserved an episode of his pilgrimage long remembered on the Border. In recording the death of Robert de Brus, lord of Annandale, under 1295, the chronicler refers to an interesting incident in the annals of that noble family. Some time ago, he says, there lived in Ireland a certain bishop and monk of the Cistercian order, a holy man named Malachi, who at the command of the captain-general of the order hastened to that place (Clairvaux) where also he died and rests in peace, remaining famous by his miracles (*signis*). When he died the holy Bernard, who was present, preached an exceedingly mournful sermon, which the canon of Lanercost had often seen.³

When this bishop had crossed from the north of Ireland, and, travelling on foot through Galloway, came to Annan with two fellow-clerics, he inquired of the inhabitants who would give him hospitality. When they declared that an illustrious man, lord of that district, who was there at the time, would willingly do so, he humbly sought some dinner which was liberally provided. When the servants inquired, seeing that he had been travelling, whether they should anticipate the dinner hour or await the master's table, he begged that he might have dinner

a stroke of the pen in a strange land and that the community could live without maintenance.

¹ It is not quite certain that Fergus founded the monastery at Souleseat, but it is so assumed in the *Scotichronicon*, ii. 538, and in later writings.

² *Chron. de Lanercost* (Maitland Club), pp. 159-161; Sir Herbert Maxwell's translation, pp. 111-114.

³ It is evident that the writings of St. Bernard were extensively known at an early period. Not only at Lanercost at the end of the thirteenth century, but at Hexham in the latter half of the twelfth, were his writings familiar. Prior John of Hexham speaks of the *Life of St. Malachy* which 'Bernardus abbas Clarae-vallis fidei scribit relatu' (*Priory of Hexham*, i. 156-7, Surtees Soc.). The same life was also known to Fordun (*Scotichronicon*, i. 295, ed. Goodall), Trivett (*Annals*, p. 26, E.H.S.) and others. His theological writings acquired for him the title of 'Last of the Fathers,' so great was their authority. Dr. Lawlor adds in an appendix a translation of the 'sermonem satis lugubrem' referred to by the Lanercost scribe.

at once. When a table had been prepared for him on the north side of the hall, he sat down with his two companions to refresh himself: and as the servants were discussing the death of a certain robber that had been taken, who was then awaiting the sentence of justice, the baron entered the hall and bade his guests welcome.

Then the gentle bishop, relying entirely on the courtesy of the noble, said—‘As a pilgrim I crave a boon from your excellency, that as sentence of death has not hitherto polluted any place where I was present, let the life of this culprit, if he has committed an offence, be given to me.’ The noble host agreed, not amiably but deceitfully, and privily ordered that the malefactor should suffer death. When he had been hanged, and the bishop had finished his meal, the baron came in to his dinner. After pronouncing a blessing on the household he took his leave, and as he was passing through the town he beheld by the wayside the thief hanging on the gallows. Then, sorrowing in spirit, he pronounced a heavy sentence, first on the lord of the place, and his offspring, and next upon the town, which the course of events confirmed: for soon afterwards the rich man died in torment, three of his heirs in succession perished in the flower of their age, some before they had been five years in possession, others before they had been three.

In the early years of manhood it would appear that the story of St. Malachy’s malediction on his ancestors and descendants had been told to Robert de Brus, the competitor, who hastened to present himself before his shrine and undertook to do likewise every three years that the curse might be removed. When in his last days he was returning from the Holy Land where he had been with Prince Edward,¹ he turned aside to Clairvaux and made his peace for ever with the saint, providing a perpetual rent, out of which provision there are maintained upon the saint’s tomb three silver lamps with their lights: and thus through his deeds of piety this Robert de Brus alone had been buried at a good old age.

Though this tradition originated some twenty years before

¹ Prince Edward set out on the Crusade in 1270; after leaving Palestine he spent most of 1273 in France carrying on a little war at Chalons, near to Clairvaux, and returned to England in 1274 (Hemingburgh, i. 337-40, ii. 1, E.H.S.). Robert de Brus is numbered among the Crusaders who had protection of their possessions for four years during absence from the realm with Prince Edward (*Cal. of Patent Rolls*, 1266-72, pp. 465, 480).

the priory of Austin Canons was founded at Lanercost, where it is supposed the Chronicle was written, it will be difficult to dispute the truth of its main features. St. Malachy was well known in Carlisle, nine miles from Lanercost, and one of his two previous visits to that city, in which there was a priory of the same order, was sufficiently remarkable to make his exploits memorable. It is not necessary to assume exactness in the Lanercost report of the Annan incident or to pry too curiously into every detail of the tradition. All that requires to be said is that the framework of the story is worthy of credit.

The trustworthiness of the tradition has had singular corroboration by the discovery of a charter in the archives of the Aube, a copy of which M. Guignard communicated to Count Montalembert in 1855. Since its publication the story in the Lanercost Chronicle cannot be treated as a mere monkish legend. By this deed Robert de Brus, lord of Annandale, gave to the monks of Clairvaux the land of Osticroft in his lordship *ad sustinandum luminare coram beato Malachia* in their church.¹ As it was issued in Annandale about 1273, all the witnesses being well known men of that district, and carries the seal of the competitor, no doubts may be entertained of its genuineness. M. Guignard was unable to read the legend on the seal in its entirety, but enough was deciphered to prove its identity. There is no need, so far as we are here concerned, to uphold the embellishments of the Lanercost tradition: the curse of Malachy on the deceitful Brus may be true or untrue. It is enough to know that the saint was hospitably entertained in the hall of Annan and made the acquaintance of its lordly owner. This circumstance, perhaps, prepares us for the direction of his subsequent journey in England.

There is no mistaking the next stage of St. Malachy's journey after his departure from Annan to which, according to Camden, access by land² was very difficult. He would naturally seek one of the waths³ or fords of the estuary of the Eden opposite Annan

¹ There is no occasion to repeat the text of the charter here or to offer proofs of its genuineness. A full discussion has been given by M. Guignard (*Migne, Patrologia*, clxxxv. 1759-60), and his conclusions have been accepted by Father O'Hanlon (*Life of St. Malachy*, pp. 193-5) and by Mr. George Neilson (*Scots Lore* pp. 124-30). The French editor identified the charter with such perspicacity that little was left unsaid.

² *Britannia*, ed. Gibson, p. 1195.

³ The fords over Solway sands were the recognised highway between England and Scotland on the western border from an early period. It was by this route

and make straight for Carlisle. Passing on, as St. Bernard¹ relates, King David met him, by whom he was received with joy and was detained as his guest for some days : and having done many things pleasing to God, he resumed the journey he had begun. This was the saint's third and last visit to Carlisle. It would be pleasant to think that he had met Archbishop Henry Murdac of York when he visited King David in Carlisle that year² and received the canonical obedience of Bishop Adelulf of Carlisle. In any case the controversy about the York primacy would afford an ample subject for discussion, if regard be had to what transpired at the deposition of St. William and to the part taken therein by St. Bernard.³

Travelling down the Eden valley as he had done on his first journey, he left the kingdom of Scotland by crossing the gap of Stainmore into Yorkshire, but instead of proceeding direct to York, as he did before, he made a detour perhaps at Barnard Castle or Catterick that he might call at the monastery of Gisburn in Cleveland on the east coast near the mouth of the Tees, a monastery which had been founded by the father of his noble host at Annan. Departing from Gisburn he came to the sea, but was refused passage owing, as his biographer suspected, to some difference between the chief pontiff and King Stephen. We are not told from what port St. Malachy ultimately set sail. But inasmuch as the King of England, according to Domesday,⁴

that King Alexander II. entered Cumberland in 1216 (*Chron. de Mailros*, pp. 122-3). Archbishop Winchelsey gives some exciting experiences of the passage when he crossed in 1297 (*Wilkins, Concilia*, ii. 261-3). Edward I. had his army encamped on Burgh Marsh on his way north when death overtook him, 1307. For the importance of this route, see Neilson, *Annals of the Solway* (Glasgow : James MacLehose & Sons, 1899). The bogs and mosses which lay between Annan and the Esk were more impassable than the treacherous sands of Solway.

¹ *Vita*, § 69.

² *Priory of Hexham* (Surtees Soc.), p. 158. In this same year Henry Fitz Empress was knighted by King David in Carlisle (Hoveden, R.S., i. 211).

³ Newburgh, *Chronicon*, pp. 47-8, E.H.S.

⁴ Domesday Book, i. 298 b : 'Rex habet tres vias per terram et quartam per aquam.' It should be pointed out that Dr. Lawlor (*Proceedings of R.I.A.* op. cit. pp. 239-241 : *Life of St. Malachy*, p. 121) has made an unfortunate slip in his identification of the Gisburn to which St. Malachy 'turned aside' (*divertit*) after crossing the gap of Stainmore into Yorkshire, a slip which upsets his alleged geographical direction of the third journey. It is not the Gisburn in Craven near the Lancashire border, now called New Gisburn, where there was no monastery of regular canons, but the Gisburn in Cleveland, better known as Guisborough,

had in York three ways by land and a fourth by water, it is not improbable that St. Malachy was making for the fourth way in the region of York, to escape by the shortest route from the interference of the English king.

JAMES WILSON.

a priory of regular canons founded by Robert de Brus in 1129. My view is that St. Malachy sailed from York, or its immediate neighbourhood, on both of his outward journeys, and that his itineraries in England, as given by Dr. Lawlor, must be confined within narrower limits.

Queen Mary's Jewels

A RECENT article in *The Scottish Historical Review*¹ contains an interesting reference to Queen Mary's jewels—more particularly to her pearls—which recalls a secret transaction little noticed by historians. This has not escaped the eye of Dr. Hay Fleming, who gives it a brief mention in his *Mary Queen of Scots*,² and almost sixty years ago it was fully discussed by Joseph Robertson in his *Inventories of Mary Queen of Scots*,³ but the story will bear elaboration as throwing a useful light upon the framework of Scottish society in the sixteenth century, and upon the characters of some of the great personages who graced that period.

The subject is of more than antiquarian interest. When it is recalled that in the sixteenth century the total revenue of the Scottish kings was but a few thousand pounds sterling (say about £12,000), much of which was earmarked for local requirements, the importance of the royal jewels is easily appreciated. Coin was scarce, and, bullion being rare, it was also bad; and the monarchs, who were often hard put to it to find the actual cash for their daily necessities, found an even greater difficulty in providing for those sudden emergencies which so often occurred. Hence came the extreme importance of the royal treasure—wealth in a portable form—which could be easily transferred into a stronghold when the English came; which could be concealed in the bowels of the earth, and yet not decay; which could be pledged to pay the mercenaries (main prop of the crown sometimes); and which could be themselves used, in extremity, to hearten friends or to bribe enemies. The royal jewels, in fact, were a great asset of government.

During the cruel wars of Mary's minority, great inroads had been made upon this asset. Many of the gems went to pay for the maintenance of the state, others seem to have been appropriated by the Hamiltons, and some, in 1556, were sent

¹ Vol. xvii. p. 291.

² P. 485.

³ Bannatyne, 111.

to the girl of fourteen, who, though she had lived so long in France, was none the less Queen of Scotland. But when, a widow of nineteen, Mary returned to Scotland in 1561, she brought with her jewels which dazzled even France, and far surpassed the treasures of her Scottish progenitors. 'Shee brought with her als faire jewells, pretious stones and pearles as were to be found in Europe,' writes Knox,¹ who for once is in accord with Bishop Lesley, and the 'inventory of 1561'² is a glittering list of 159 items, necklaces, rings, girdles, earrings, vases and chains, set with gems of every kind. The jewels of the French Crown, valued at nearly half a million crowns, had, of course, been returned on the death of her husband; but the treasures sent to her from Scotland had been supplemented by rich gifts from her Guise relatives and from her royal father-in-law, Henry II., whose great diamond, with its gold chain and ruby pendant, became, as the 'Great Harry,' one of the principal treasures of Scotland. The 'grosses perles,' which figure so abundantly on the list, may have come from the house of Lorraine; at all events in Mary's 'testamentary disposition' of 1566 they are assigned to the families of Guise and Aumale.

Some of the personal ornaments, obviously, must have travelled about with the queen, and much of the plate would be housed in Holyrood; but the real home of the royal jewels was in Edinburgh Castle, where they were kept in the Jewel House, or in the Register House.³ In tracing, therefore, the dispersion of the gems, which began with Mary's imprisonment in Lochleven Castle (17th June, 1567), it is necessary to study the varied history of the great citadel.

If we may judge from the rather pitiful inventory of the goods sent on to the Queen a few days after her escape,⁴ the captive must have been deprived of all her treasures save a bare minimum of plate. Calderwood⁵ tells us that on 17th June 'the Lords went down to the Palace of Holyrudhous, and tooke up an inventar of the plait, jewells, and other movables,' but

¹ *Works of John Knox* (Woodrow Society), 1846, ii. p. 267.

² Robertson's *Inventories of Mary Queen of Scots*, p. 7.

³ Robertson's *Inventories*, cxxxviii, xiii.

⁴ Hay Fleming's *Mary Queen of Scots*, p. 511.

⁵ Calderwood's *History of the Kirk of Scotland* (Woodrow Society), 1842, ii. p. 366.

Adam Blackwood¹ represents the confederates as proceeding in a less formal manner. According to him, these abominable traitors busied themselves all night long in pillaging the Queen's 'meubles, bagues et joyaux.' Nothing of value was left by them, and of what they took little ever returned to the royal house.

So much for Holyrood ; but the Castle was harder to plunder—for outsiders anyhow—and far more worth the plundering. The bulk of the royal treasures was still there, and there it was that Bothwell had bestowed the gems—worth, according to himself, more than 20,000 crowns—which Mary had given him.² The Castle had been held, since 8th May,³ by Sir James Balfour, a time-serving ruffian, who, having been a great confidant of Bothwell's at the time of the Darnley murder, was now prepared to make the highest profit he could out of the new situation. His opportunities were many. If Randolph's account is correct,⁴ this trusty custodian, who had the keys of the Register House, did not hesitate to make free with the valuables entrusted to his care. At a later date, 1573, Sir Robert Melville seems to have stated in his examination⁵ that he does not know that Sir James got any 'jowellis' during the 'lait troubles' ; but the manuscript is so much damaged that its sense is conjectural, and in any case, Melville, with a halter round his neck, may not have cared to incriminate Morton's ally. Randolph certainly describes the castellan as opening a 'little coffer,' which may be identical with the famous 'casket,' and that casket itself was undoubtedly given by him to Bothwell's servants, one of whom fell into Morton's hands immediately afterwards. From this luckless wretch, George Dalglish, information was extracted by torture ; at 8 p.m. on 20th June, the casket was placed in Morton's hand,⁶ and next day it was broken open in the presence of eleven Scots lords.

This, of course, is Morton's own story, as presented to the English commissioners in December 1568, and we need not accept it as complete or accurate. It is almost certain that Balfour himself betrayed Dalglish to Morton, and it is at least

¹ Jebb's *De vita et rebus gestis Mariae Scotorum Reginae*, 1705, ii. p. 219.

² 'Examination of Sir Robert Melville,' Robertson's *Inventories*, clviii.

³ Hay Fleming's *Mary Queen of Scots*, p. 465.

⁴ *Calendars of State Papers, Foreign, Elizabeth*, ix. No. 1334.

⁵ Robertson's *Inventories*, clviii.

⁶ Andrew Lang's *Mystery of Mary Stuart*, p. 275.

possible that the formal opening of the casket was a solemn farce. For Balfour had keys, as appears from Randolph's story, and with his connivance the box could be opened and shut at will. Certainly the 'murder-band' does appear to have vanished conveniently, and if it went, other things might go too.

At all events, it is quite certain that the casket was for some time in Morton's hands, for on 16th September, 1568, at a meeting of the Privy Council, Moray gave him a receipt for this 'silver box owergilt with gold' and the papers it contained.¹

Valuables entrusted to the care of Balfour, therefore, were likely to meet with adventures, especially if Morton were concerned. Of this Mary was well aware, for in her interview with Moray at Lochleven on 16th August, 1567, she made her half-brother custodian of the jewels in a particular manner, alleging that unless he became responsible, neither she nor her son would ever see them again.² Moray—'good self-denied man,' as Keith sarcastically remarks—was unwilling to accept the charge, but Mary was urgent, and as soon as he was gone wrote with her own hand a letter pressing him to undertake the matter.

This he did. On the 5th September he made himself master of Edinburgh Castle,³ driving a hard bargain with Sir James Balfour, who obtained 'a remissioun as airt and pairt of the King's murther,' a pension for his son, and for himself the Priory of Pittenweem and £5000 down.⁴ On the 11th of the month Moray is described as making inventories of the Queen's jewels and apparel, 'which is said to be of much greater value than she was esteemed to have.'⁵ His activities, however, were not confined to the mere making of lists, but were of a nature to excite the anger and alarm of his opponents. 'The delivery of the castle and the jewels to the regent has colded many of their stomachs,' wrote Mr. James Melville,⁶ and it is extremely

¹ *Privy Council Register*, i. p. 641.

² *Catalogue of the Cottonian MSS. in the British Museum*, *Caligula*, Throckmorton to Elizabeth, May 20, 1567 (Keith, p. 444).

³ Calderwood's *History*, ii. p. 387.

⁴ *A Diurnal of Remarkable Occurents* (Bannatyne Club, No. 43); *The Historie and Life of King James the Sext* (Bannatyne Club, No. 13, p. 18); Spottiswoode's *History of the Church of Scotland*, folio edition, 1677, p. 213.

⁵ *Calendar of State Papers, Foreign, Elizabeth*, viii. No. 1676.

⁶ To Sir Nicholas Throckmorton, 10th Sept., *Calendar of State Papers relating to Scotland*, 2 vols. 1858, ii. p. 845.

probable that even the 'Good Regent' played the part of the spoiler on this occasion, although Mary herself believed otherwise. Certain it is that, on 24th August, Moray's Parliament made an Act concerning the Queen's 'jewellis,'¹ and the 'advices' which the English government received from Scotland on 31st August explained that the Regent had been authorised to 'intromit' with the jewels.²

Mary had long been apprehensive. On 30th May she had instructed Lord Fleming, who was going to the French court, to protest against the sale in France of any of her gems,³ which, as she had heard, were being sent out of Scotland; and she seems to have heard of the doings of the Scots Parliament almost as soon as did her warders, for on the 1st of September she wrote to Elizabeth⁴ begging her '*Commander que le reste de mes bagues ne soyent vandues, comme ils ont ordonné en leur parlemant; car vous m'avés promis qu'il n'i auroit rien à mon presjudice.*' She added that she wished that Elizabeth had them, for they are not '*viande propre pour traystres et entre vous et moy je ne fays nulle déférance.*' If Elizabeth would take any she fancied as a gift from her (*de ma mayn ou de mon bon grê*) she would be very pleased.

A month later Elizabeth, who, according to her prisoner, had already made a promise on this very matter, wrote to Moray advising him not to sell or otherwise dispose of the jewels of the Queen of Scots, and on 6th October the Regent replied that he would obey her behest.⁵ In the course of the investigations of December 1568, however, Mary's commissioners asserted that Moray and his allies had 'reft and spuilzeit' the Queen's 'jewellis,' and after the Regent's murder, Mary herself wrote to his widow demanding the return of certain jewels, including the 'Great Harry' itself, which had come into her possession.⁶ It does not appear what reply was made, but towards the end of the year we find the Countess begging, and apparently receiving, English protection 'in respect of her persecution by Lord Huntly for the Queen of Scots' jewels.'⁷ Huntly, however, must have had but little success, for throughout the year

¹ *A.P.S.* ii. p. 56.

² *Calendar of State Papers, Scotland*, ii. p. 857.

³ Labanoff's *Lettres de Marie Stuart*, 7 vols. 1844, ii. p. 89.

⁴ *Ibid.* ii. p. 172.

⁵ *Calendar of State Papers, Scotland*, i. p. 267.

⁶ Robertson's *Inventories*, cxxxii. note 2, March 28th, 1570.

⁷ *Calendar of State Papers, Scotland*, i. p. 308.

1574 Morton was engaged in the same old dispute with the lady, now Countess of Argyle,¹ and only in 1575 did the 'Great Harry' return to the royal treasury, where it remained until, soon after 1603, it was broken up, yielding its great diamond to complete a still more magnificent jewel, the 'Mirror of Great Britain.'²

In this controversy one point of peculiar interest presents itself. The Countess of Moray plainly used the argument that the Act of 1568 (which does not survive) gave to the Regent³ 'the dispositioun of our said Soverane Lordis jowellis pertening sumtyme to his Hienes Moder.' The title of this Act of 1568, however, speaks of the 'Queen's' jewels, and Mary herself, at a later date, explicitly stated that Moray had always admitted that the jewels were hers alone. '*Ainsi qu'il a tousjours plaine-ment déclaré devant sa mort, encore que Morthon luy a souvent voullu persuader, comme j'ay este advertie, de les dissiper, affin d'en avoir sa part.*'⁴

It is therefore possible that the Countess did not, as Robertson supposed, receive the jewel as a gift from her lord, but found it amongst his effects after he was dead, and, being pressed to return it, made use of the plea—already employed by Morton himself—that the treasures had become the property of the young king. The 'Great Harry,' of course, was a French jewel; but Mary's provisional testament of 1566 had assigned it to the Scottish crown.⁵ Be this as it may, it seems certain that the Good Regent had extracted from the treasures, and kept in his own possession, certain of the most valuable jewels—a suspicious circumstance to which we shall return.

His successor, the Earl of Lennox, was also guilty of equivocal conduct in this affair of the jewels. On 24th November, 1570,⁶ Mary wrote to the Bishop of Ross bidding him protest to the Queen, that the Earl of Lennox 'persumes to spoilze ws of certane jowellis' which were in the hands of her followers, and that he has 'inpresoned' John Semple for refusing to deliver up those entrusted to his care. Bannatyne's *Memorials*⁷ amplify our information by telling us that the valuables in question were really in the keeping of Semple's wife (Mary Livingstone), and that Blackness Castle was the place of his captivity.

¹ *P.C. Reg.* ii. p. 330.

² Robertson's *Inventories*, cxxxviii.

³ *P.C. Reg.* ii. p. 331; Robertson's *Inventories*, cxxx, Feb. 3, 1574.

⁴ Labanoff's *Lettres*, iv. p. 91.

⁵ Robertson's *Inventories*, p. 93.

⁶ Labanoff's *Lettres*, iii. pp. 124-5.

⁷ Bannatyne Club, No. 51, p. 348.

Most of the royal treasures, meanwhile, were still in Edinburgh Castle, and in the custody of Kirkcaldy of Grange, who, in accordance with a promise to Sir James Balfour,¹ had received the keys from Moray on 24th September, 1567.² In the hands of this champion the Queen's jewels might be considered safe, but it is evident that even Grange, in the stress of the long siege, 'intromitted' somewhat freely with the gems. In May and August 1570 he was busy strengthening his defences,³ and in August the English government ordered the detention of jewels and valuables sent to be sold in England without Mary's consent.⁴ The English, of course, were not always so scrupulous about the rights of their royal captive; but it was desirable to prevent Grange from realising his assets. The captive herself, it is true, grew somewhat apprehensive, for in December she wrote to Lethington and Grange, stating that she had heard rumours which she did not believe, 'that ye have appointed with my meubelles at the Quene of England's procurement,'⁵ and hoping that if anything of the kind had been done, 'it is rather for my advantage nor otherwise.' Her apprehensions were not altogether unfounded, for some of her jewels were sold in France by Grange's brother, James Kirkcaldy.⁶ But the money gained (or part of it) was devoted to the purchase of munitions, and as the castellan held out so long and so gallantly, in the name of Queen Mary, his action may have been justified.

All that man could do to maintain the defence he did, and only on 29th May, 1573, when his garrison was mutinous, when the water was poisoned, and the walls of the castle had, according to Knox's prophecy, 'runne like a sand-glasse,' did he surrender.⁷ But, though he gave up his person to the English commander, Sir William Drury, Marshal of Berwick, he took care that the castle should be occupied by the Scots, and Morton hastened to instal as captain his own half-brother, George Douglas of Parkhead.⁸ The 'Diurnal' specifically tells us⁹ that the English force marched off without touching the

¹ *Memoirs of his own Life*. By Sir James Melville of Halhill. Bannatyne Club, No. 18, p. 198.

² *Diurnal of Remarkable Occurents*, p. 124.

³ *Ibid.* pp. 174-184.

⁴ *Calendar of State Papers, Scotland*, ii. p. 890.

⁵ Labanoff's *Lettres*, p. 134.

⁶ Calderwood's *History*, iii. p. 74.

⁷ *Ibid.* pp. 211 and 283.

⁸ *Historie of James the Sext*, p. 145; Melville's *Memoirs*, p. 255.

⁹ P. 334.

royal jewels or the artillery ; but if this was so the conduct of the commander was less exemplary than that of his men, for it is quite evident that he secured some of the gems.

In August 1573 we find Morton engaged in a correspondence with the Countess of Lennox, urging her to procure the restitution of the gems in the Marshal's possession. Killigrew, in a letter written about a year later,¹ states that these (or perhaps some of them) had been pledged to Drury for £600, but the official inventory² tells a different story. Some of the jewels had been handed over by Archibald Douglas, who would surely have a finger in every pie of doubtful flavour ; others, being out at pledge, had been returned to Grange when he was a prisoner in the Marshal's hands, and others again, having been pledged to Mosman the goldsmith (afterwards hanged along with Grange) and returned by him when the Castle fell, were cast by Grange into a coffer in his own room, which coffer afterwards turned up at Drury's lodging. Grange, who was examined on 13th June,³ denied stoutly that he concealed on his person the gems returned by Mosman. 'I brought out nothings with me, but the clothes was one me, and fower crownes in my purse, as I will answer to my God.'

This story of the coffer is a little suspicious, however, and it becomes doubly so when we read in the examination of Sir Robert Melville⁴ that, before the siege, the Marshal 'gat jowellis fra the Lard (Grange) at sindrie tymes. But quhat they wer the deponar knawis not.' It would almost seem as if 'that worthy champion Grange, who perished for being too little ambitious and greedy,' conscious of Morton's hate, had at the last minute attempted to come to terms with the English. 'If Morton gets the jewels,' he may have argued, 'they are lost to the Queen. May they not, then, buy the life of the Queen's champion?'⁵ Vain hope ! Elizabeth would not, in mercy, baulk her own partisans of their revenge, and though Drury took the matter heavily, Grange was abandoned to his fate.

Morton was now free to possess himself of the jewels on which he had long had his eye. The Parliament of January 1573 had authorised him to recover from 'the havaris, resettaris

¹ *Calendar of State Papers, Scotland*, i. p. 386.

² Robertson's *Inventories*, cl.

³ *Ibid.* clii.

⁴ *Ibid.* clvii.

⁵ In reading the examinations of the prisoners, however, one gets the impression that Grange, whose fate at Morton's hands was fairly certain, was made the scape-goat—even by Sir Robert Melville.

sellaris and intronettouris' the jewels 'sumtyme pertening to the Quene our Soverane Lordis moder, and pertening to his hienes sen his coronatioun,'¹ and when, on 25th April, the Castle was formally summoned before the English attack, Grange had been expressly required to surrender the jewels along with it.² Spottiswoode³ tells us how the Regent 'relieved by payment of the monys for which they were engaged the jewels impignorated by the Queen,' but he then goes on to denounce Morton's rapacity—amply corroborated by the 'Diurnal'⁴ and the 'Historie'⁵—and it is clear that what the Regent claimed in the name of the King he often put to his own use. Any 'payment of monys' by him is extremely improbable, if other means were available; and the Act of 1573 gave him large discretionary powers which he did not fail to use.

The treasures concealed in the castle, including the famous 'Honours of Scotland,' were rapidly unearthed; but though the jewels found 'hydden in a wooden chest in a cave' were 'many and riche,' the 'moste parte' were 'in gage,' and Morton set to work with vigour. The prisoners were closely examined, as has been shown, and the appearance of Lady Hume before the council, noted by the contributor of *Scots Pearls*,⁶ was part of the same process. Her husband had been one of Grange's garrison and, at the moment of her interrogation, was an invalid prisoner in the Castle.⁷ Grange had pawned some jewels to her, but according to his own account had redeemed them and could produce the 'discharge.' Whether all had been redeemed is not clear; if not there is little chance that the lady ever recovered the £600 which had been advanced on the diamonds and pearls she now surrendered. Lady Lethington (Mary Fleming) was another victim. She had been taken when the Castle fell,⁸ and though we are told by Spottiswoode⁹ that the 'ladies and gentlewomen were licensed to depart,' we find her on 29th June charged on 'pane of rebelloun' to produce certain jewels—notably a chain of diamonds and rubies—which were in her hands.¹⁰ It was but three weeks since her husband was dead, and to his body Morton refused any burial till the English Queen made sharp remonstrance; but none the less

¹ *A.P.S.* iii. p. 74.

³ *History*, folio edition, 1677, p. 273.

⁵ *P.* 147.

⁷ July 4, 1573; *Reg. P.C.* ii. 247.

⁹ *P.* 272.

² Calderwood's *History*, iii. p. 282.

⁴ *P.* 336.

⁶ *S.H.R.* xvii. p. 287.

⁸ Calderwood's *History*, iii. p. 283.

¹⁰ *Reg. P.C.* ii. p. 246.

Mary Fleming found courage to resist the inquisitor, and refused either to produce the jewels entrusted to her, or to state any cause why she should not. She was given six days' grace, and the upshot of the affair does not appear.

But if he met with opposition here, Morton was successful elsewhere. He recovered the gems pawned with the Provost of Edinburgh,¹ and he it was who at length managed to extract the 'Great Harry' from the Countess of Argyle. Even from the English he managed to recover something, so that when, in 1578, he was deprived of his office, the inventory of the valuables he gave up 'shows perhaps less wreck than might have been looked for after ten years of tumult and civil war.'² It might even appear that Morton, whom Mary regarded as the arch-traitor, was in a sense the preserver of the royal treasures, although his efforts, ostensibly made on behalf of James VI., may have been directed to his own enrichment.

Mary certainly regarded him as her chief enemy, and her correspondence reveals not only her deep sense of the value of her jewels, but also the genuine alarm she felt when she heard that the Castle had fallen at last. On 3rd August, 1573, she wrote to the French Ambassador, La Mothe Fénelon, begging him to urge Elizabeth '*affin qu'elle me fasse rendre mes pierreries et aultres hardes que j'avois dans le chasteau de Lislebourgh*';³ and as appears from a letter of 27th September,⁴ Elizabeth had promised to attend to the matter. In November⁵ Mary was once more urging her request. Morton had defended himself by stating that the gems had been dissipated by previous castellans (which was true), but the injured Queen expressed the opinion that he had slain the responsible custodians and taken possession himself. Her words make it clear that Elizabeth, who had promised to have the jewels restored to her, had contented herself with writing to the Regent urging that they should be well guarded until James came of age.

Nothing, therefore, came of this negotiation, and in August 1577 Mary was in touch with the arch-enemy himself. She distrusted him profoundly; she even suspected that his overtures might be a snare of Walsingham's planning, but none the less she proposed to follow cautiously the path which had opened so unexpectedly. Morton's offer might be genuine enough, for self-interest would compel him to provide against the day

¹ Robertson's *Inventories*, cxxxvi.

² *Ibid.* cxxxviii.

³ Labanoff's *Lettres*, ii. p. 77.

⁴ *Ibid.* iv. p. 83.

⁵ *Ibid.* iv. pp. 90-91.

when James, reaching maturity, should cast him off; even if it were all deceit, the villain might be caught in his own toils and induced to write something which would ruin him with Elizabeth, and whether his offer were sincere or false, it might be a means to the recovery of the lost treasures.¹

'Quant à mes bagues, qu'il vous envoie ce qu'il en pourra promptement recouvrir, ou s'en charge par inventaire signé de sa main, et du surplus qui est égaré en envoie une déclaration, selon la cognoissance qu'il en a, et la promesse qu'il en a faicte.'

Morton fell in due course, but the Queen did not recover her jewels. The inventories taken at Chartley and Fotheringhay² show that, at the end of her life, Mary still had some of the jewels which figured in the lists of 1561-1566, but these were probably recovered during her brief spell of liberty in 1568. For the grim Regent was not a man to part with anything of value if he could help it, and in this case the last person in the world to press him was Elizabeth. Elizabeth herself was wearing Mary's pearls. Of that there can be no doubt. In August 1573, when Anglo-Scottish relations were dominated by Morton's great effort to collect the scattered gems, Alexander Hay wrote to Killigrew³ that 'some of the jewels have been recovered by the Regent, but not that piece which was in the hands of the Queen of England,' and the correspondence of De La Forest, the French Ambassador in London in 1567-8, reveals a sordid story,⁴ which can be amply confirmed from the calendars of the English State papers.

Early in February 1568, La Forest reported to his master the arrival in London of one 'Elphinstone' 'ung gentilhomme du Conte de Moray,' whose ostensible mission was to explain the proceedings of the Scottish Parliament which had met on 15th December (to condemn Bothwell *inter alia*). The Ambassador, however, believed that he had other business to negotiate, and suspected that his real object was to propose a strict alliance, on terms that Scotland should accept English suzerainty and Elizabeth should acknowledge James as her heir. A few months later Elphinstone reappeared upon another errand. On 2nd May La Forest explained to the King that he had come up, under the protection of Throckmorton, and that he had brought

¹ *Ibid.* iv. p. 384; v. p. 28.

² *Ibid.* vii. pp. 231-274.

³ *Calendar of State Papers, Scotland*, i. p. 380.

⁴ Teulet's *Relations Politiques de la France et de l'Espagne avec l'Ecosse*, 5 vols., 1862, ii. pp. 339-368; Labanoff's *Lettres*, vii. pp. 129-134.

with him some magnificent and valuable jewelry belonging to Queen Mary. This had been inspected by Elizabeth on 1st May, in the presence of Pembroke and Leicester, who had been astonished at the beauty of the gems. Writing on the same day to Catherine de Médicis, the Ambassador added that he knew neither the 'quality nor the quantity' of the jewels, though he knew they were highly valued. He thought that, if Catherine wished to buy all or some, it could be managed, for though Elizabeth would have the first option, he thought she was too cautious to buy. There was no need for haste, he concluded, for the affair was being kept very secret. The fact is that the Queen Mother had told De La Forest to keep a look-out for these jewels, but that he himself was not anxious to meddle in the matter, for in a third letter which he wrote on 2nd May (to M. de Fizes, Secrétaire d'Estat), he explained that he had written to the Queen Mother only in consequence of her instructions to him; if anything was to be done, he should be told as soon as possible, but he added, '*Nous avons assez affaire de nostre argent ailleurs.*'

A few days later (8th May), De La Forest was able to give more detailed information. Amongst the jewels sent were the '*grosses perles*' about which Catherine had formerly enquired, and as he had heard '*il y en a six cordons où elles sont enfilées comme patenostres, et oultre cela, environ vingt-cinq à part et séparées les unes des aultres.*' These separate pearls, he added, were bigger and finer than those on the threads, 'most of them as big as nutmegs.' They had been variously valued at 10,000, 12,000 and even 16,000 crowns, but his own opinion was that they would go at the middle figure. He was correct, for a week later he wrote announcing that the transaction was complete. Elizabeth had bought her dear cousin's pearls for 12,000 crowns, or £3600 sterling.

The Queen Mother made the best of her disappointment. On receipt of the Ambassador's earlier letters she had written to bid him buy if he could, but apparently before her letter was despatched the news came that Elizabeth had forestalled her (21st May). Accordingly she submitted gracefully. It was very reasonable that Elizabeth should have the pearls, she would like her to buy all the jewels '*et, si je les avoiz, je les luy enveroiz.*' Sour grapes, your Majesty! If you cannot have the pearls you do not want anything else.

The Ambassador's story is correct in almost every detail,

and indeed it might well be. For he had corrupted a secretary of Sir Nicholas Throckmorton, who always played a great part in Scottish affairs, and under whose patronage Elphinstone had been introduced.¹ Thus possessed of inside information, he was able to prime the 'Sieur de Bethon,' who visited Elizabeth en route from Scotland to France, so effectually that, in the course of an interview, Beaton managed to get the Queen to make an admission about the jewels. All this, of course, rests on his own statement, but his story is strongly corroborated by circumstantial evidence.

He represents the sending of Elphinstone as very secret, and in point of fact there is no reference to his mission in the contemporary histories. Calderwood, Sir James Melville, the 'Diurnal,' the 'History' and Spottiswoode (hardly contemporary of course) are all silent in the matter. And this silence becomes all the more remarkable when we find frequent references to the French Ambassador Beaumont, who came north just as Elphinstone came south, and who (says De La Forest) actually met him ten leagues north of Berwick.² But if the histories are silent, the State Papers have much to tell us. Nicoll Elphinstone—not 'Lord' Elphinstone, as Teulet has it—was the trusted servant of Moray who was sent on to herald his return to Scotland in July 1567.³ Early in January 1568 he received from Moray letters of credit to the Queen and Cecil,⁴ and on 31st January he had arrived in London and been heard by certain of the Council.⁵ All this tallies exactly with the French Ambassador's account of his first mission; and his version of the second is confirmed with equal precision.

On 20th April Elphinstone received from the Regent, then at Glasgow, a fresh letter of credit to Cecil,⁶ and on 22nd April he arrived at Berwick.⁷ Now Beaumont had arrived in Berwick on the 21st and had gone on at once,⁸ so that the envoys would meet just about ten leagues north of Berwick, just as De La Forest said. Other documents in the same series⁹ make it

¹ Teulet's *Relations Politiques*, ii. p. 362.

² Labanoff's *Lettres*, vii. p. 130.

³ *Calendar of State Papers, Foreign, Elizabeth*, viii. No. 1459 and No. 1470.

⁴ *Ibid.* Nos. 1907, 1908.

⁵ *Ibid.* No. 1975.

⁶ *Ibid.* No. 2136.

⁷ *Ibid.* No. 2138.

⁸ Teulet's *Relations Politiques*, ii. p. 351.

⁹ *Calendars of State Papers, Foreign, Elizabeth*, viii. Nos. 2160, 2233, 2246, 2260.

clear that Elphinstone's official business was the settlement of the borders. An affair of this kind, however, did not necessarily involve a visit to London—the emissary, in point of fact, did visit Carlisle as well as Berwick—and certainly it did not require the secrecy which veiled the whole business. This was very complete. La Forest, as has been shown, was well-informed; yet even he wrote as if the jewels were still for sale on 8th May, whereas Elphinstone had concluded his business some days earlier. The news of Mary's escape had reached London, and Elizabeth, who was preparing congratulatory letters to her dear cousin, eased her conscience by dispatching Moray's envoy with a meanness which disgusted Throckmorton.¹

Was Moray, then, the vendor of the pearls? Elphinstone was undoubtedly his servant; indeed, as early as 1565, a confidential servant.² He is always described as Moray's man, and it was from Moray that he got his letters of credit. Now Moray was notoriously poor. His reliance on English gold in 1565 has been made a perpetual reproach to him,³ and at this period⁴ he was apparently in his usual penury. At this time, however, he received authority to handle the Queen's jewels, and the affair of the 'Great Harry' shows that he interpreted his powers somewhat widely. Without opportunity, of course, authority might avail little, but, as has been shown, he had opportunity enough between 5th September, when Balfour surrendered the Castle, and 24th September, when Grange was installed. The natural conclusion is that he secured, amongst other valuables, Queen Mary's pearls, which he wished to sell in order to provide himself with cash. Elphinstone may have broached the subject on his first journey south (else why the secrecy?), or it may have been broached to him; and on his second journey he took the jewels with him.

Moray's action may be justified on the ground of necessity. His business was to govern Scotland, and to govern without money was impossible. If, however, it be felt that defence is required, one line alone presents itself. Elphinstone was also the confidant of Morton,⁵ and indeed he was, some years later,

¹ Teulet's *Relations Politiques*, ii. p. 357.

² *Calendars of State Papers, Scotland*, i. p. 215.

³ *Ibid.* i. 225, 227.

⁴ *Calendars of State Papers, Foreign, Elizabeth*, viii. No. 1732.

⁵ Calderwood's *History*, iii. p. 387; Melville's *Memoirs*, p. 263.

actually employed on the 'great matter' of having Mary sent secretly to Scotland for execution.¹

Is it possible, then, that the 'Good Regent' sent Elphinstone south on purely diplomatic business, and that the wicked Morton seized the opportunity to dispose of the jewels, the fruits of his guilty collusion with Balfour? Surely this is special pleading. Elphinstone's connection with Morton seems to have become intimate only after Moray's death, and the whole circumstances of the mission, its swiftness, its secrecy and the connivance of Throckmorton, all seem to prove that the Regent himself was the principal in the business.

Mary, then, was deceived when she regarded her half-brother as a safe custodian of her jewels; no less was she deceived when she appealed to Elizabeth for aid; but most of all was she deceived as to herself. There she was, poor prisoner, imagining that she was still the great pivot of politics, and that her jewels were too sacred to be touched, whereas even her friends were constrained to despoil her, and her importance in the diplomatic world grew steadily less. It was only after she was out of the way that the 'Armada' came. In her prison then we must leave her, and for the prison's sake we may forgive her some dishonesty, some selfishness, and a certain megalomania; but what are we to think of the Queen who promised to help to recover her treasures, and who actually wrote to Moray and to Morton about the stolen goods when she herself was something very like a 'resettar'?

What exactly were the jewels which Elizabeth got? Reference has already been made to the '*grosse perles*,' which certainly accompanied Mary from France, and which were assigned, in the arrangement of 1566, to the houses of Guise and Aumale. It was probably some of these which Elizabeth bought, for Catherine de Médicis was plainly acquainted with the pearls in question. De La Forest's description undoubtedly suggests the '*grosse perles enfilées*' of the 1566 inventory. Further than this it is hard to go, for by the time the Ambassador's informant saw the jewels, the original pieces may have been broken up. Three of Mary's resplendent ornaments were in themselves sufficient to supply over 150 great pearls, a girdle, a 'cottouere' or 'edging' or 'beading,' and a 'dizain,' or rope with the pearls divided into tens. De La Forest's reference to a paternoster might perhaps suggest the 'dizain'—the big beads which divided

¹ Tytler's *History of Scotland*, 9 vols. 1841, vii. pp. 314, 321, 336.

the groups of ten were called 'pater'—but very possibly all he meant was that the pearls were strung.

None of the ornaments mentioned in the inventory seem to have been in 'six cordons,' and in any case, Elizabeth, whose common-sense was more highly developed than her sense of honour, would probably break the pieces up at once if they were intact when she got them. Hay's letter, it is true, does seem to speak of one particular 'piece,' but I have tried in vain to draw conclusions from a comparison of the authentic pictures of the two Queens. Gloriana is, as a rule, so thickly encrusted with gems, that accurate observation seems to be impossible.

J. DUNCAN MACKIE.

24

Early Orkney Rentals in Scots Money or in Sterling

IN examining the earliest of Peterkin's *Rentals of the County of Orkney* recently, a somewhat surprising circumstance came to light. The rental in question is that of Henry Lord Sinclair ('that deit at Flowdin') for the years 1502-03, compiled immediately after he had obtained a fresh lease from the Crown of the lordships of Orkney and Shetland. In the *summa* at the end of each parish the money values of the total rents and duties are given, and one would naturally suppose that these would be expressed in Scots money. This was the assumption explicitly made by Captain Thomas in his otherwise very acute and exhaustive account of this rental, published in the *Proceedings* of the Society of Antiquaries of Scotland for 1883-84; and, so far as I am aware, he has been followed by any other writers who have touched upon the subject.

Actually, however, when the rental is closely examined there can be no doubt at all that the conversions are expressed in sterling money, and this completely alters estimates of Orkney rents and taxation at that period. Some of the clearest pieces of evidence may be briefly summarized.

1. A comparison of the rent, in Scots money, which Lord Sinclair paid for his lease (see *Exchequer Rolls*), with its returns as disclosed in his rentals, show that if those returns were expressed in Scots money also, he would have been a heavy loser by the transaction; but as some of the factors are a little uncertain (such as his returns from Shetland), we may confine ourselves here to the consideration of a single item—the rent of Burray. For this island £20 Scots was paid by the Bishop of Orkney to the Crown and allowed to Lord Sinclair in the account, while the entire total of rents and duties given in the rental was £10 12/11½.¹ If this £10 12/11½ were Scots money

¹ Misprinted as £41 12/11½ in Peterkin. £10 12/11½ is the actual value of the rents given in kind, and is the figure in the 1492 Rental.

the tacksman was actually paying nearly twice as much as he got from the island. So it clearly must have been sterling.

2. The *lowest* conversion price of Orkney beir given in the *Exchequer Rolls* between the years 1476 and 1509 was 4/2 Scots per boll. Sixteen bolls made a chalder, and 36 Orkney meils of beir also made a chalder. The lowest recorded price of a meil of Orkney beir in these *Rolls* was therefore 1/10 Scots, or a trifle over 6d. sterling. The standard Orkney price both in the 1492 and 1502-03 rentals was 4d., which therefore must obviously have been sterling money. It may be added that this difference between 4d. and 6d. (in some years 1/-) shows that money was dear and prices low in Orkney compared with Scotland.

3. The purchase price of an Orkney merkland at that time was one merk (1 3/4) 'Inglis'—*i.e.* sterling. But the standard rent was 10 settens of malt, equal to 10d. in rental money. If this money were Scots, then Orkney land must have been selling at over 53 years' purchase! This, of course, is a preposterous rate; 10d. sterling gives 16 years' purchase, and the '5th part fall' very commonly found in the 1502-03 rental (where most rents were down) gives the normal rate of 20 years.

4. In this old rental we find Sir William Sinclair of Warsetter, Lord Sinclair's brother, getting a tack of 13d. land in Tuquoy in Westray for 'thre pundis Scottis payment allanerlie' (only), in place of the duties and old rent. The 'allanerlie' of course implies a reduction, and in point of fact all Sir William's tacks were given him at much reduced rents. But the duties came to 14/1, and the old rent to £1 16/- according to this rental, and £1 19/- according to the 1492 rental. The previous total payment was thus either £2 10/1 or £2 13/1, so that if this had been Scots money, Sir William would have been paying a considerably enhanced rent. It must therefore have been sterling.

Several other cases of payments may be noted, in which the currency must have been Scots, in contradistinction to the usual currency of the rental, especially where 'fees' are mentioned. Thus William 'Swoundyis' got the 'grassum' of Brek in Deerness 'ilk 3 year 20/- in his fee': 20/- at the rental conversion rate meant 40 meils of grassum every three years, and as he only paid 20 meils in annual rent, such an exorbitant extra is obviously impossible. The 20/- was plainly Scots money.

One final instance is particularly instructive and conclusive. The whole rent and duties of Tofts in St. Ola were 'assignit

for 20/- in Angus Portaris fee yeirlie.' The value of these duties and rent was $5/5\frac{1}{2}$ in rental money, and thus this sum was equivalent to 20/- in the currency of Angus Porter's fee. The ratio of the two currencies works out at 3·6 to 1, and that is the exact ratio of sterling to Scots money in 1503.

Curious though it seems at first sight that a Scottish nobleman's rental should be expressed in sterling money, especially when his accounts with the Crown for the same lands were all in Scots currency, the explanation is really not far to seek. Orkney had only comparatively recently (in 1468) come under the Scottish Crown, and before that date sterling money was the currency generally used, as is shown by the one earlier document where many details of Orkney affairs are given : the ' Complaint ' of 1424 or 1425. Many fines and the value of a number of articles are specified, and each time they are expressed in sterling money.

Among these items is one that amply confirms the rental values as being sterling : David Menzies, governor of the islands and factor for the young earl, is stated to have ' collected (for his own benefit) out of the earl's rents . . . 800 pounds English since his father died and a year before he died.' The maximum time covered was six years, which gives an average of £133 6/8d. sterling a year ; and Menzies cannot have had the audacity to pocket the *whole* rents. Actually the total rent in 1502-03, allowing for parishes omitted and items not entered in the parish tackmen's accounts, works out about £200 a year—probably rather less. So that this £200 could not possibly have been Scots money. In fact, it is clear that the lost ancient rentals of Orkney must have been in sterling money, and hence the same currency was retained throughout Lord Sinclair's leases.

J. STORER CLOUSTON.

James Boswell as Essayist¹

IN speaking of James Boswell in the rôle of Essayist, I take as my text a collection of seventy essays contributed by him to the *London Magazine* from October 1777 to July 1783, a period of five years and nine months. They are now almost forgotten and not easy to obtain ; early numbers of the magazine in which they lie buried are scarce ; so scarce indeed, that as far as I can discover, complete sets are possessed by few public libraries. It is not, however, on account of their rarity that I venture to bring them again into the light ; a work may be rare and yet the lawful prey of Oblivion : it is rather, because I see in them new material for the study of Boswell the *man* and of his *magnum opus*—material which has been neglected by critics, hostile and friendly alike.

Although published anonymously, with the whimsical title *The Hypochondriack*, there is no question about the authorship. Boswell himself, in a letter still extant, sent a copy of his ninth paper to his friend Sir Alexander Dick of Prestonfield, inviting criticism ; to his bosom friend Temple on 4th January, 1780, he wrote : ‘ I really think my *Hypochondriack* goes on wonderfully well’ ; and in the *Life of Johnson* there is explicit acknowledgment : ‘ I told him I should send him some essays which I had written which I hoped he would be so good as to read and pick out the good ones. *Johnson* : Nay Sir, send me only the good ones ; dont make me pick them.’

The essays are written, I need hardly say, on the approved eighteenth century essay model : each has its motto from Greek or Latin author : all deal with hackneyed subjects, *Fear*, *Excess*, *Luxury*, *Melancholy*, *Praise and Censure*, *Government*, *Dedications*, and the like, round which hundreds of essays had been written long before Boswell took up his pen to swell the number. Sometimes a theme runs into three papers ; that is so

¹ Read before the English Association (Glasgow Centre), February 15th, 1919.

in the case of *Love, Marriage, Death, Country and Town Life*, while *Drinking* has four to itself. Four, written earlier than 1777, have been introduced into the series evidently at times when the printer was clamant for copy. They are only interesting as showing that while a mere youth the author had an ambition to enter the lists as an essayist and that occasionally he had contributed to the *London Advertiser*. One of these (*number X of the series*) opens thus: 'My scheme of writing a periodical paper, entitled *The Hypochondriack*, was formed a good many years ago, while I was travelling upon the continent; and in the eagerness of realising it and seeing how it would do, I sat down one evening at Milan and wrote *The Hypochondriack* No. X, pleasing myself with the fancy that I was so far advanced, and with the enthusiasm which critics ascribe to epic bards, 'plunging at once into the middle of things.' That essay was hastily composed in a gay flow of spirits thirteen years ago and I shall present it to my readers as my tenth number without making any variation whatever upon it':—a characteristic Boswellian confidence.

My difficulty has been to decide how best to present these forgotten essays to a new audience. When one starts off to read them for the first time they appear to be little more than an ambitious attempt to produce a work on the lines of the *Rambler*. That book of Johnson's, as one should expect, was the exemplar, and some things gravely uttered by Boswell are reminiscent of it. But the echoes are only occasional, and long before the seventieth essay has been reached, the peculiar personal note of the Biographer, which never fails as passport to indulgent attention, will have discovered itself even to the most cursory of readers. The literary quality of the essays is fine, as might easily be exemplified by selected passages: in them we become acquainted with his thoughts, moods, and ambitions; with his eager interest and restless curiosity in *life* and notably also with some of his *methods* in striving to attain to literary craftsmanship. He puts something of himself into all his counsels, and freshens up his subject by racy anecdotes, illustrations and quotations. But unless I am mistaken the *documentary* value exceeds the literary, and for my present purpose at any rate will call for most attention.

In October 1777, when the first essay made its appearance, Boswell was verging on thirty-eight years of age. In verse and prose he had practised his pen assiduously from boyhood, and

published freely, though nearly always anonymously, but his one serious contribution to literature, as yet, had been the *Journal of a Tour to Corsica*. In turning now to essay-writing it was not, I feel sure, with any expectation that thereby he would increase his literary reputation. In 1763, or soon after, he had deliberately chosen as his task, biography, with Johnson as subject, and ever since had pursued it steadily. His Corsican Journal, particularly the second part, the parleyings with Paoli, was an experiment in *method*, a preparation for the achievement of the masterpiece at which he secretly aimed. What then was the purpose of the Essays? His contemporaries, except perhaps his friend Temple, could not have answered that question, for the answer was involved in what Carlyle calls Boswell's 'great secret.' Ostensibly they were written for the author's pleasure and to entertain readers, the pretended aim of every author since books began to be written. Let me quote a short passage from the prefatory essay :

'To undertake the writing of a large book is like entering on a long and difficult journey, in the course of which much fatigue and uneasiness must be undergone, while at the same time one is uncertain of reaching the end of it ; whereas writing a short essay is like taking a pleasant airing that enlivens and invigorates by the exercise which it yields while the design is gratified in its completion. Men of the greatest parts and application are at times averse to labour for any continuance, and could they not employ their pens on lighter pieces, would at those times remain in total inactivity. Writing such essays therefore, may fill up the interstices of their lives and occupy moments which would otherwise be lost. To other men who have not yet attained to any considerable degree of constancy in application, the writing of periodical essays may serve to strengthen their faculties and prepare them for the execution of more important works.'

To Boswell himself these words had a fuller meaning than to any of his readers. The fact is that in 1777 his life-task for the time was at a stop through no fault of his own ; and being unwilling to remain inactive he was now wishful to fill up an interstice in his own life, strengthen his faculties, and prepare for the execution of a more important work. Although the world did not know it, his own *Journal of a Tour to the Hebrides* was already prepared for the press and was only held back for the reason that he did not wish to offend Johnson. The famous trip had been discussed between him and Johnson in the first year of their acquaintance ; it was accomplished in 1773, and two years later worthily narrated in Johnson's *Account of a Journey to the Western Islands of Scotland*. But to that work

Boswell had always desired to write what he called a Supplement. During the trip he had kept a diary, as his custom was, of which Johnson in one of his letters to Mrs. Thrale says: 'Boswell writes a regular journal of our travels which I think contains as much of what I say and do as of all other occurrences together.' From the Journal itself, as published, we know now that Johnson frequently perused it: 'He came to my room this morning before breakfast to read my Journal, which he had done all along. He often before said, 'I take great delight in reading it.' To-day he said, 'You improve: it grows better and better.' I observed, there was a danger of my getting a habit of writing in a slovenly manner. 'Sir, said he, it is not written in a slovenly manner. It might be printed, were the subject fit for printing.' And in two letters to Temple we discover the reason for the book being withheld. On May 10th, 1775, Boswell writes: 'I have not written out another line of my remarks on the Hebrides. I found it impossible to do it in London. Besides, Dr. Johnson does not seem very desirous I should publish any Supplement. Between ourselves he is not apt to encourage one to share reputation with himself. But dont you think I may write out my remarks in Scotland and send them to be revised by you, and then they may be published freely? Give me your opinion of this.' And on November 6th, 1775, he writes: 'Dr. Johnson has said nothing to me of my remarks during my journey with him, which I wish to write. Shall I task myself to write so much of them a week and send to you for revisal? If I dont publish them now they will be good materials for my *Life of Johnson*.'

That last sentence explains much. The *Journal of a Tour to the Hebrides*, the most finished kit-kat portrait in our literature, was intended to be the first instalment of the *magnum opus*, but could not be published during Johnson's lifetime and in consequence might even need to be recast when the second instalment, the *Life of Johnson*, the full length portrait, came to be executed.

Fortunately the Hebridean Journal has reached us in its original form; and no editor, with Mr. Croker before his eyes, is ever likely to have the temerity to attempt to foist it into the text of the *Life of Johnson*.

Seeing now that the Essays were written after the completion of the first instalment of the Biography, and during what looks like a period of enforced suspension of the life task, it has still to be shown that in writing them Boswell was sharpening his pencil and preparing for the execution of something more important—

the great *Life of Johnson*. All the papers, with the exception of the four early ones already mentioned, were, in my opinion, written mainly with the object of clarifying his mind on points discussed between him and Johnson during the fourteen years of their acquaintance, and were in great part derived from and suggested by the Journals and note books containing the memoranda of these discussions. When read collectively and with the *Life of Johnson* steadily kept in view, that, I believe, will be admitted by all readers. As every one knows, a very considerable part of the Biography is made up of Johnson's observations on what are called commonplace subjects: many of them subjects treated by him in the *Rambler*, *Idler*, or other occasional papers. One has only to glance at the full index compiled by Dr. Birkbeck Hill to realise that. But in the Biography, as Mr. Augustine Birrell remarks, Johnson's 'recorded utterances cannot be reconciled with any one view of anything. When crossed in conversation or goaded by folly he was capable of anything'; and no one knew it better than his Biographer, whose gentle demurrers from many of the magisterial *dicta* have been so cunningly introduced into the text. To attempt to show in detail the relation of the essays to the Biography is impossible, within the limits at my disposal, and for that reason a few examples culled from the essays, must suffice, which, if they do not demonstrate, will at least suggest what I mean by *relation*. In some of the passages I shall also try to indicate the biographical value of the essays and to communicate something of the Boswellian flavour. A more enjoyable hour perhaps might be spent in discussing the purely literary merits of the essays; but at present I am directing attention almost exclusively to their value as fresh material for the study of Boswell and the *Life of Johnson*, his great achievement in the field of biography.

I begin with the essay on Diaries (*number LXVI of the series*).

'The ancient precept *γινῶθι σεαυτον*—'know thyself,' which by some is ascribed to Pythagoras, and by others is so venerated as to be supposed one of the sacred responses of the Oracle at Delphos, cannot be so perfectly obeyed without the assistance of a register of one's life. For memory is so frail and variable, and so apt to be disturbed and confused by the perpetual succession of external objects and mental operations, that if our situation be not limited indeed, it is very necessary to have our thoughts and actions preserved in a mode not subject to change, if we would have a *fair* and distinct view of our character.

'This consideration joined with 'the importance of a man to himself' has had some effect in all times. . . . 'The importance of a man to himself'

simply considered is not a subject of ridicule, for in reality a man is of more importance to himself than all other things or persons can be. The ridicule is, when self importance is obtruded upon others to whom the private concerns of an individual are quite insignificant. A diary therefore . . . may be of valuable use to the person who writes it, and yet if brought forth to the public eye may expose him to contempt, unless in the estimation of the few who think much and minutely, and therefore know well of what little parts the principal extent of human existence is composed.'

Quoting Lord Bacon, 'It is a strange thing that in sea voyages, where there is nothing to be seen but sky and sea, men should make diaries; but in land travel, where so much is to be observed, for the most part they omit it, as if chance were fitter to be registered than observation,' he proceeds to tell of a visit made by him to India House for the sole purpose of examining the journals, the log-books as we should say, kept by captains of the company's ships. Then coming back to his main theme he says :

'But it is a work of very great labour and difficulty to keep a journal of life, occupied in various pursuits, mingled with concomitant speculations and reflections, in so much, that I do not think it possible to do it unless one has a talent for abridging. I have tried it in that way, when it has been my good fortune to live in a multiplicity of instructive and entertaining scenes, and I have thought my notes like portable soup, of which a little bit by being dissolved in water will make a good large dish; for their substance by being expanded in words would fill a volume.¹ Sometimes it has occurred to me that a man should not live more than he can record, as a farmer should not have a larger crop than he can gather in. And I have regretted that there is no invention for getting an immediate and exact transcript of the mind, like that instrument by which a copy of a letter is at once taken off.' . . .

'The chief objection against keeping a diary fairly registered with the state of mind and the little occurrences by which we are intimately affected is, the danger of its falling into the hands of other people, who may make use of it to our prejudice. . . . I have kept a Diary for considerable portions of my life. And in order to guard against detection of what I wish to be concealed, I once wrote parts of it in a character of my own invention, by way of a cypher, but having given over the practice for several years, I forgot my alphabet, so that all that is written in it must for ever remain as unintelligible to myself as others. This was merely a loss. But a much worse circumstance happened. I left a large parcel of diary in Holland to

¹ In *Dr. Johnson His Friends and His Critics*, p. 190, Dr. Birkbeck Hill discusses two questions (1) 'How much of Johnson's reported conversation is his own and how much Boswell's?' and (2) 'Whenever Boswell pretends to give Johnson's exact words, does he, even though he omits a great deal, show in what he gives, the literal accuracy of a shorthand reporter?' Boswell's explicit statement in the *Essays* has escaped the notice of all commentators.

be sent after me to Britain with other papers. It was fairly written out and contained many things which I should be very sorry to have communicated except to my most intimate friends; the packages having been loosened, some of the other papers were chafed and spoiled with water, but the Diary was missing. I was sadly vexed, and felt as if a part of my vitals had been separated from me, and all the consolation I received from a very good friend, to whom I wrote in the most earnest anxiety to make enquiry if it could be found anywhere, was that he could discover no trace of it, though he had made diligent search in all the little houses, so trifling did it appear to him. I comfort myself with supposing that it has been totally destroyed in the carrying. For, indeed, it is a strange disagreeable thought, that what may be properly enough called so much of one's mind, should be in the possession of a stranger, or perhaps of an enemy.'

Then after remarking that a diary will afford the most authentic materials for writing a biography which, 'if the subject be at all eminent, will always be an acceptable addition to literature,' he goes on :

'I was lately reading the Diary of that illustrious and much injured prelate Archbishop Laud, which the violent and oppressive rage of rebellion dragged forth as part of the evidence against him. It is estimable not only for the fragments which it contains of important history, but for the tender, humane, and pious sentiments which it undeniably proves were the constant current of his mind.'

Then he gives a few specimen entries. Laud's Diary he contrasts with another, and this for my present purpose, is the most important thing in the essay.

'There is,' he says, 'a Diary of a very different character called a Spiritual Diary and Soliloquies, by John Rutty, M.D., published in two volumes quarto. In the Critical Review for March 1777 there is an account of this singular curious work, introduced with some observations so good, that in justice both to the writer of them and my readers I cannot but transcribe them. [Then follows the quotation.] Dr. Rutty was an Irish physician of merit and one of the people called Quakers. His diary is written with an honest simplicity and conscientious self examination which are rarely to be found, so that while we cannot but laugh, we must feel a charitable regard for him.' [Then nine specimens of the entries are given.]

That diary of Dr. Rutty is now among the books that are no books, but his name and the fact that he was a diarist will be remembered as long as English is spoken, for that whole passage is transferred to the *Life of Johnson* (anno 1777; vol. iii. p. 197 Napier's edition).

'He was much diverted with an article which I shewed him in the Critical Review of this year, giving an account of a curious publication,

entitled 'A Spiritual Diary and Soliloquies' by John Rutty, M.D. Dr. Rutty was one of the people called Quakers, a physician of some eminence in Dublin and author of several works. This Diary which was kept from 1753 to 1775, the year in which he died, and was now published in two volumes octavo, exhibited, in the simplicity of his heart, a minute and honest register of the state of his mind; which, though frequently laughable enough, was not more so than the history of many men would be, if recorded with equal fairness. The following specimens were extracted by the reviewers.' [Then they follow.] 'Johnson laughed heartily at this good Quietist's self condemning minutes; particularly at his mentioning, with such a serious regret, occasional instances of *swinishness* in eating, and *doggedness of temper*. He thought the observations of the Critical Reviewers upon the importance of a man to himself so ingenious and so well expressed that I shall here introduce them.' [Then follows the citation, the same as in the essay.]

In the Biography, Boswell has corrected *quarto* to *octavo*, added a few dates, and slightly polished his periods here and there. But he has also lifted from another part of the essay the phrase 'the importance of a man to himself,' showing that his 'lucubrations,' as he styled the essays, were used in the preparation of the final text of the *Life of Johnson*.

Another excellent essay, 'Conversation among Intimates,' (*number XXV of the series*) is brought to a conclusion in characteristic fashion :

'There is, no doubt, as the wise man tells us, 'a time for all things,' and while I am inculcating gay relaxation with the same earnestness which is generally employed in inculcating grave assiduity I do most certainly not mean to recommend relaxation at random. The Roman poet says, *dulce est desipere in loco*, it is agreeable to play the fool in a proper place, or to express it fully in the English idiom, *time and place convenient*. I would add to time and place, *convenientia personae*, something suitable to character. For, the relaxation of one person should be very different from the relaxation of another. I would not have a judge give way to an impulse of animal spirits, and be a merry fellow while he is upon the bench, nor would I have him dance in a public assembly room; and indeed a person of that grave dignity of station should be seen in his hour of amusement but by very few, as there are very few who can distinguish the substantial general character itself from the occasional appearances which it assumes. Still more should a clergyman be upon his guard against having the most innocent levity of behaviour in him, seen by others. For as the usefulness of his office depends much upon the weight of authority which opinion gives him it is his duty to take care that that opinion be not lessened. Levity of behaviour in him, if not in excess, is clearly no evil in respect to himself only, and therefore he may indulge it in private. But it is an evil in respect to others, in whose imaginations the venerable impression of the sacred character must not be at all effaced. There is a noted story that Dr.

Clarke, the celebrated metaphysician, and one or two more eminent men of his time, were diverting themselves quite in a playful manner ; but when Clarke perceived a certain beau approaching, he instantly made a transition to composed decorum, calling out with admirable good sense, 'Come, my boys, let's be grave, there comes a fool.' There cannot be a better illustration than this of my opinion as to the prudent conduct of relaxation with due discernment as to those before whom a man of respectable character should give a loose to it.'

Now, as is well known, when the Hebridean Journal was published the author was subjected to so much abuse and ridicule for the figure he himself cut in the book, that he felt it necessary in the splendid dedication to Sir Joshua Reynolds of the *Life of Johnson* to take notice of the sour critics. This short passage from that dedication is another example of *relation*.

'In one respect, this work will in some passages be different from the former. In my 'Tour' I was almost unboundedly open in my communications ; and from my eagerness to display the wonderful fertility and readiness of Johnson's wit, freely shewed to the world its dexterity, even when I was myself the object of it. I trusted that I should be liberally understood, as knowing very well what I was about, and by no means as simply unconscious of the pointed effects of the satire. I own indeed, that I was arrogant enough to suppose that the tenor of the rest of the book would sufficiently guard me against such a strange imputation. But it seems I judged too well of the world ; for though I could scarcely believe it, I have been undoubtedly informed, that many persons, especially in distant quarters, not penetrating enough into Johnson's character, so as to understand his mode of treating his friends, have arraigned my judgment, instead of seeing that I was sensible of all that they could observe.

'It is related of the great Dr. Clarke, that when in one of his leisure hours he was unbending himself with a few friends in the most playful and frolicsome manner, he observed Beau Nash approaching ; upon which he suddenly stopped. 'My boys,' said he, 'let us be grave, here comes a fool.' The world, my friend, I have found to be a great fool as to that particular on which it has become necessary to speak very plainly. I have therefore in this work been more reserved ; and though I tell nothing but the truth, I have still kept in my mind that the whole truth is not always to be exposed.'

For the anecdote so aptly used in his own defence Boswell turned to one of his essays, improving it by slightly condensing it.

To avoid a tedious minuteness I shall now group together a few more illustrations which will not require such lengthy citations and comparisons. Let me begin with the minor poet, Thomson of the *Seasons*. Johnson always regards Thomson as a true poet, but Boswell inclines to qualify his praise : 'His *Seasons* is indeed full of elegant and pious sentiments, but a rank soil,

may a dunghill will produce beautiful flowers.' In the essay (*number LXX of the series*):

'There may be fine thoughts on the surface of a coarse mind, as beautiful flowers are found growing upon rocks, upon bogs, nay upon dunghills.'

Both in the Biography and the essay (*number XVI of the series*) the same quotation from Lyttleton is applied to Thomson, namely, that 'he loathed much to write.'

In the essay *Pleasure in Excess* (*number IV of the series*; Jan. 1778), we read:

'Even an excess of pleasure is an evil. For, strange as it may seem, it is most certainly true, that in our present state of being an extreme degree of pleasure turns into pain; as the author of *Virtue*, an ethic epistle, has very happily expressed it—

Till languor suffering on the rack of bliss
Confess that man was never made for this.'

In the Biography (anno 1777; vol. iii. p. 221, Napier's edition):

'The feeling of languor which succeeds the animation of gaiety is itself a very severe pain; and when the mind is then vacant, a thousand disappointments and vexations rush in and excruciate. Will not many even of my fairest readers allow this to be true?'

And in a footnote to the passage he adds:

'But I recollect a couplet apposite to my subject in *Virtue*, an ethic epistle, a beautiful and instructive poem by an anonymous writer, in 1758, who, treating of pleasure in excess, says

Till languor, suffering on the rack of bliss
Confess that man was never made for this.'

Again, in the essay (*number XIV of the series*) discussing reviews and reviewers, Boswell says: 'And we have seen from the evidence brought by Dr. Shebbeare in a court of justice, that the gain of reviewers is very liberal.' In the Biography (anno 1783) we read: 'I mentioned the very liberal payment which had been received for reviewing; and as evidence of that, it had been proved in a trial, that Dr. Shebbeare had received six guineas a sheet.'

In the essay, *Hypochondria and Madness* (*number V of the series*) Boswell carefully defines these ailments, and combats the opinion that there is no difference between them, and says:

'Mr. Green in his poem *The Spleen*, of which I have heard Mr. Robert Dodsley boast as a capital poem of the present age, preserved in his collection, has enumerated exceedingly well the effects of hypochondria,' etc.;

and turning to the Biography we read :

‘On Saturday September 20th after breakfast . . . Dr. Johnson and I had a serious conversation by ourselves on melancholy and madness ; which he was, I always thought erroneously, inclined to confound together’ (vol. iii. 201) ;

and in another place this :

‘I related a dispute between Goldsmith and Mr. Robert Dodsley one day when they and I were dining at Tom Davies in 1762. Goldsmith asserted that there was no poetry produced in this age. Dodsley appealed to his own collection and maintained that though you could not find a palace like Dryden’s Ode on St. Cecilia’s Day, you had villages composed of very pretty houses : and he mentioned particularly *The Spleen*.’

Boswell manifestly was consulting his journal when he wrote the essay.

Another illustration, one of the best, is the essay Fear and Pity (*number II of the series*), where we read :

‘In our present state, fear is not only unavoidable by rational beings, who know that many evils may probably, and some must certainly befall them, but as far as we can judge, it seems to be one of the preventives and correctives of human suffering. Accordingly that great judge of human nature, Aristotle, when justly extolling the usefulness of tragedy, as medicine for the mind, tells us in a metaphorical definition taken from physic, δι’ ἐλέου καὶ φόβου περαίνουσα τὴν τῶν τοιούτων παθημάτων κάθαρσιν,—it by the means of pity and fear purges the passions.’

In the Biography (April 12th, 1776) :

‘I introduced Aristotle’s doctrine, in his Art of Poetry, ‘κάθαρσις τῶν παθημάτων, the purging of the passions’ as the purpose of tragedy. ‘But how are the passions to be purged by terror and pity?’ said I, with an assumed air of ignorance, to incite him to talk, for which it was often necessary to employ some address.’

Boswell sorrowfully adds that his record on this occasion does great injustice to Johnson’s commentary on the classic subject, which was so forcible and brilliant that one of the auditors whispered at the conclusion, ‘O that his words were written in a book.’ The essay may be Boswell’s attempt to recapture some part of the discourse ; at any rate, it clearly shows his journal in use.

In the essay, Of Speaking and Keeping Silent (*number XXIII of the series*), we read :

‘Sometimes our benevolence will be best exercised in talking and sometimes in listening just as we find the humour of those with whom we are

at the time. I write to the ordinary run of mankind. For, there does to be sure now and then appear an extraordinary man, by whom all should be willing to be instructed and entertained. Of such a man London can boast in the present age. I shall not name him; because if the description does not present him to the minds of any of my readers as much as his name could do, they are unfortunate enough either not to know him, or not to be sensible of what the most of all his contemporaries acknowledge . . . It is not however against too much speaking only that I would guard my readers . . . Such of my readers as wish to see the subject treated in a serious manner, with a view to consequences, more awful than it is my purpose at present to introduce, may consult that valuable treatise entitled *The Government of the Tongue*.

In the Biography (April 2, 1779), the same subject is discussed and is concluded, 'I by way of a check quoted some good admonition from *The Government of the Tongue*, that very pious book (vol. iii. 372).

There is a curious dialogue in the Biography, concerning the Chinese, which seems to be isolated, and to have little connection with anything else; Johnson had been calling East Indians barbarians:

'*Boswell*. You will except the Chinese, Sir. *Johnson*. No, Sir. *Boswell*. Have they not arts? *Johnson*. They have pottery. *Boswell*. What do you say to the written characters of their language? *Johnson*. They have not an alphabet. They have not been able to form what all other nations have formed. *Boswell*. There is more learning in their language than in any other, from the immense number of their characters. *Johnson*. It is only more difficult from its rudeness; as there is more labour in hewing down a tree with a stone than with an axe.'

In the essay, Things and Words (*number LIII of the series*), we read:

'I am at present engaged in looking into a book of which I heard accidentally. It is entitled *Bayeri Museum Sinicum*, being a complete account of the Chinese language, printed at Peterburg in 1730, and it appears to me to display an aggregate of knowledge, ingenuity and art, that is enough to make us contemplate such powers of mind with inexpressible veneration.'

It may of course be only coincidence.

So much for *relation*: many more examples might easily be given. The following few passages illustrate Boswell's sound literary judgment.

In the Biography you will remember how he distinguishes between Johnson when 'he talked for victory' and 'Johnson when he had no desire but to inform and illustrate': this is

what he says in the essay *Of Disputing for Instruction* (*number XXXIV of the series*):

‘The desire of overcoming is not only an obstruction to the propagation of truth but contributes to disseminate error. A Goliath in argument will take the wrong side merely to display his prowess, and though he may not warp his own understanding, which is sometimes the case, he will probably confound that of weaker men’;

and in the essay which immediately follows, *Of Imitating the Faults of Great Men* (*number XXXV of the series*)—

‘In literary compositions, the faults of celebrated writers are adopted, because they appear the most prominent objects to vulgar and undiscerning men, who would fain participate of fame like theirs by imitating their manner. . . . How many men have made themselves ridiculous by dull imitation of the sudden sallies of fancy and unconnected breaks of sentiment in Sterne? How many pigmy geniuses have, like the frog in the fable, that burst itself by vainly thinking it could swell to the size of an ox, become contemptible by aping the great style of the modern colossus of literature.’

The ‘Goliath in argument’ and ‘the modern Colossus of literature,’ are of course Johnson, who is frequently so styled in the *Biography*.

The essay concludes thus:

‘The delusive propensity to imitate the vices of eminent men, makes it a question of some difficulty in biography whether their faults should be recorded. . . . I am . . . of opinion that a biographer should tell even the imperfections and faults of those whose lives he writes, provided that he takes a conscientious care not to blend them with the general lustre of excellence, but to distinguish them and separate them, and impress upon his readers a just sense of the evil, so that they may regret its being found in such men, and be anxiously disposed to avoid what hurts even the most exalted characters, but would utterly sink men of ordinary merit.’

In another essay, *Of an Author’s Revising of his Works* (*number XXVII of the series*):

‘Correction is a capital difficulty which authors have always held out to the attention of their readers. The ancients talk a great deal of the metaphorical *file* in literary performances; and Horace recommends keeping a work for no less than nine years before one should venture to publish it. But is there not in this a great deal of quackery, or at least unnecessary anxiety? . . .

‘Many a book has been so altered and corrected in subsequent editions, though carrying the same title that one might compare it to the ship of the Argonauts which was so often repaired that not one bit of the original wood remained. Indeed, I have always considered it not quite fair to the

purchasers of the first edition of a book, to alter, correct and amend, and improve it so much in after editions, that the first is rendered by comparison of very little value. Yet it would be hard to restrain an author from making his own work as perfect as he can. The purchasers of a first edition have had what they considered to be value for their money. They may keep that value; and are not under any obligation to purchase a better edition. The case is not quite clear. I shall therefore leave it to the consideration of my readers and only relate a witty remark of a learned friend, who when I had complained that a book which I had bought when it came first out, was altogether changed in a new edition; then, said he, if you buy this edition you will get another book.'

'Some men have a vacillancy of mind which makes them quite indecisive in their composition, so that they shall alter and correct as long as they can; and at last be fixed only because the types cannot be kept longer standing. When this is only as to the language it is ridiculous enough. But when their indecision respects the very substance of their work, they are surely very unfit to be authors. An eminent printer told me that a book of some authority upon law was printed at his press, and that when the proof sheets were returned by the author, there was frequently an almost total alteration of many parts. This, said he, was an effectual preventive to me from ever going to law; for, I considered, if the authority itself was so uncertain, what must be the uncertainty of the interpretations of that authority.'

In the next essay he speaks of authors distrusting their own opinion of their works and having recourse to the judgment of friends. This is his own opinion, and we know that he followed it always:

'That a fondness for our own compositions may prevent us in many instances from perceiving their faults, I allow; and therefore the opinion of impartial friends may be of use. But unless I am convinced that my friends are in the right I will not comply with their opinion.'

The essay which brings the series to a conclusion is written in Boswell's best style, almost as well finished as the prefaces in the *Biography*:

'I am absolutely certain,' he says, 'that in these papers my principles are most sincerely expressed. I can truly say in the words of Pope,—

I love to pour out all myself as plain,
As downright Shippen, or as old Montaigne.

Perhaps indeed, I have poured out myself with more freedom than prudence will approve, and I am aware of being too much of an egotist. . . .

'There is a pleasure when one is indolent, to think that a task, to the performance of which one has been again and again subjected, and had some difficulty to make it out, is no longer to be required. But this pleasure, or rather comfort, does not last. For we soon feel a degree of uneasy languor, not merely in being without a stated exercise, but in being

void of the usual consciousness of its regular returns, by which the mind has been agreeably braced.

'A conclusion however, should be put to a periodical paper, before its numbers have increased so much as to make it heavy and disgusting were it even of excellent composition, and this consideration is more necessary when it is entirely the work of one person, which in my first number I declared the *Hypochondriack* should be. I have resolved to end with number seventieth, from perhaps a whimsical regard to a number by which several interesting particulars are marked, the most interesting of which is the solemn reflection that 'the days of our years are three score years and ten.' To choose one number rather than another, where all numbers are rationally indifferent, there must be a motive, however slight. Such is my motive for fixing on Number Seventieth. It may be said, I need not have told it.'

Boswell's motive for concluding with the seventieth essay was good enough for periodical readers, but there were other and better reasons not needing then to be publicly divulged. His succession to the family estates in August 1782, on the death of his father, Lord Auchinleck, had brought new cares and new employments which were pressing heavily on him. That was one reason: another and weightier one was the sudden and serious illness of Dr. Johnson, whose paralytic seizure in June exactly synchronises with the dispatch to the printer of the seventieth essay, which appeared in the July number of the *London Magazine*.

The essays were tentative and preparatory for the greater task that now seemed at hand. They had served their purpose and been useful more than once in furnishing topics for conversation during the most fruitful period of his intimacy with Johnson, the years 1777-1783. What perhaps is most remarkable to a twentieth century reader is, that nearly every subject discussed in them is brought under review in the Biography during those six years; giving the impression that the Biographer had proposed the themes and incited Johnson to talk on them.

Be that as it may, it is scarcely doubtful, that the essays are intimately related to the Biography and were used by Boswell in the preparation of the final text. That is the only proposition I have advanced and I hope that even the few examples I have given, will have made it fairly clear.

J. T. T. BROWN.

Reviews of Books

OLD DORNOCH : ITS TRADITIONS AND LEGENDS. By H. M. Mackay, Town Clerk of that City and Burgh, with Foreword by Millicent, Duchess of Sutherland. Pp. viii, 151. Crown 4to. Dingwall : North Star Office. 1920.

MR. MACKAY has printed his four 'popular lectures' delivered at Dornoch in 1912-14. The volume is divided into four chapters, viz. I. Medieval Dornoch, II. The Reformation Period, III. The Reformation to the Revolution, and IV. The Revolution to the Disruption. In these the writer presents the interesting history, necessarily with gaps, of the old city. The book is written evidently from a full mind by one who is deeply attached to the burgh and parish in which he lives, and has a thorough knowledge of its ecclesiastical and civil remains, and of the successive personalities connected with it in ancient and modern times from the days of the Church of St. Bar until those of the Free Kirk. From Sir Robert Gordon's *Genealogie of the Earles* he quotes freely, but he must have given his extracts regarding early times with his tongue in his cheek. For after all Sir Robert, when he deals with events before the times in which he lived, is a sad romancer. We doubt the derivations given by Mr. Mackay of Cnoc-an-Lout as connected with Jarl Liot, and of Crock Skardie as referring to Jarl Sigurd; and there is little, if any, evidence for St. Bar's having been Bishop of Caithness, though this Irish saint of the fifth or sixth century may have had the Church, which preceded St. Gilbert's, named after him. Again, the stories of St. Gilbert (which come from the *Aberdeen Breviary*) are almost certainly mere monkish inventions; and the existence of the five earliest bishops in the list quoted at page 52 is very doubtful, and probably Andrew was first bishop. Earl Harold (in spite of Sir Robert), did not kill Bishop John. It is, too, unlikely that Freskyn (Fretheskin or Fresechyn) de Moravia came from Friesland, and the family were established at Strabrock in Linlithgowshire before Freskyn, the first of them to come North, and himself a good lowland Pict or Scot, came to Duffus in Moray.

Of St. Gilbert, the founder of the cathedral at Dornoch, and his charter a full and excellent account is given, with a most interesting identification of the sites of all the ecclesiastical buildings and residences—so good that we long for a map. The old etymology of Dorn-eich ('horse shoe') for the city's name is given as traditional, but its real origin is still to seek, in spite of the city's 'horse-shoe' corporate seal. We have little doubt that the Earl's Cross, which survives, was a mere boundary stone; while the King's Cross at Embo, which has disappeared, possibly marked the site of a

fight of uncertain date with the Norsemen, who are said to have landed at Little Ferry, where, doubtless, long before, they had had (as Mr. George Sutherland Taylor suggested) a town or settlement on the ness of the Vik called Vik-naes, and by Gaels corrupted into Uignes and later Unes.

Turning to the later chapters, the accounts given of the land-grabbing proprietors at the Reformation, and later of the Tulchan bishops and clerics, Catholic and Episcopalian alike, of the vandalism of the Mackays in destroying and of the Sutherlands in 'restoring' St. Gilbert's Cathedral, and of the clan fights for the burgh form an excellent and illuminating commentary on Sir Robert Gordon's bald statement of such events; and the heroism of the fighting Murrays, loyal survivors of the old stock of the De Moravia family, stands prominently out in Mr. Mackay's book.

The writer dwells (perhaps in one instance with undue breadth of anecdote) upon eccentric persons of modern days, of whom the burgh always yielded an abundant crop, and he tells us of the witches of Dornoch and of the burning of the last of them at the stake.

Mr. Mackay's book was not originally meant for publication, but to humour and please a local audience. In it he has given us a set of sketches, extending over more than seven centuries, drawn in good perspective, and painted in true and effective local colour, of an interesting old Scottish burgh and its inhabitants, and we venture to express the hope that he will now proceed to write its history with an appendix of records from the charter room at Dunrobin and the municipal archives, illustrated by photographs, a map of the parish and large scale plans of the burgh showing the sites of its ancient buildings.

JAMES GRAY.

THE SOVEREIGNTY OF THE BRITISH SEAS, written in the year 1633 by Sir John Borroughs, Keeper of the Records in the Tower of London. Edited with introductory Essay and Notes by Thomas Callander Wade, M.B.E., M.A., LL.B. Pp. viii, 115. 8vo. Edinburgh: Green & Son, Ltd. 1920. 7s. 6d. net.

By a curious coincidence this book appears to have been dealt with by two Scottish writers independently at the same time. A brief and accurate account of it is to be found in Mr. Heatley's book (*Diplomacy and the Study of International Relations*, pp. 131 to 141), and it is now edited with an excellent introductory essay and notes by Mr. Wade.

The work is a small one written in Latin in 1633 at the request of Charles I., when the famous controversy with the Dutch as to the freedom of the sea was on the point of leading to open rupture between the two countries. Desiring to be sure of his ground before challenging the encroachments of the Dutch in the North Sea fishing grounds, which had hitherto been regarded as exclusively English, the King commanded Sir J. Borroughs to prepare a Memorandum setting forth 'the true state of the question of the Dominion of the British Seas,' and the present work was the fruit of researches in the unpublished records of the Tower of London. It was completed in 1633, two years before the appearance of Selden's *Mare Clausum*, which used much of its historical material, but it was not published till 1651, eight years after the author's death. In the literature

of the famous controversy it occupies an important place, for though it made no contribution to the legal aspects of the dispute, it contains much (though probably unsifted) historical evidence of the assertion of the English claim to sovereignty in the seas. Nor did the author forget the political object for which his Memorandum was required, and he added by way of appendix a quite important note on the 'inestimable riches and commodities of the British Seas,' which, for its mere information as to the British sea fisheries of his day, and their importance as a source of political power, is still of value.

Mr. Wade is to be congratulated in making so excellent a contribution to the breadless study of international law. His own equipment is well shown in his introductory essay, and his work is a credit to the scholarship to be found among practising lawyers in Scotland. A. H. CHARTERIS.

THE LIVINGSTONS OF CALLENDAR AND THEIR PRINCIPAL CADETS : The History of an Old Stirlingshire Family. By Edwin Brockholst Livingston, author of *The Livingstons of Livingston Manor*. New edition, entirely revised and greatly enlarged. Pp. xix, 511. 4to. With 20 Portraits, 8 coloured coats of arms and other illustrations. Edinburgh : Printed at the University Press by T. & A. Constable for the Author. 1920.

THIS sumptuous volume is, so far as bulk is concerned, the most weighty contribution to Scottish Family History that has appeared for many years. But, as we shall see, it has much more to recommend it, and is a very thorough and exhaustive piece of genealogical work. If the Livingstons did not play quite so conspicuous a part in Scottish History as did the Douglasses or the Hamiltons they were well to the front throughout, and a family which can boast of having had some seven peerages conferred on its members, not to speak of five baronetcies, cannot have had a negligible influence on public affairs. It is a far cry to their beginning ; whether or not they can rightfully claim descent from that Saxon Leving who inhabited his 'toun' in Linlithgowshire and gave the church of the same to the newly founded Abbey of Holyrood in 1128, they can at all events boast of a pedigree which is both ancient and honourable. It is from Sir William Livingston, who had acquired the widely separated lands of Gorgyn or Gorgie near Edinburgh and Drumry in Dumbartonshire, that the Livingstons of Callendar derive their descent, his younger son, another Sir William, being founder of that house. It is matter of history how the grandson of the latter Sir Alexander played a conspicuous part in the reign of James II., how he was nominated Guardian of the infant King and had the Queen Mother arrested, and how a similar fate met the chiefs of the house of Douglas, who were ultimately through the machinations of Livingston and Chancellor Crichton, executed for high treason.

But there were many ups and downs in these troublous times and the Livingstons fell from their high estate in 1450, some of them being executed, while almost all of them had their estates confiscated. But only a few years afterwards Sir Alexander's son Sir James got his property restored to him and was created Lord Livingston of Callendar. He also

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for some time occupied the position of Guardian of the King and held besides the offices of Great Chamberlain and Master of the Household. The fourth Lord Livingston was a waster, and if he was present at the battle of Flodden he escaped with his life from that fatal field, though several of his kinsmen were among the slain. Alexander, fifth Lord Livingston, was one of the eight Guardians of Queen Mary appointed by Parliament in 1543, and five years afterwards accompanied his young mistress to France, where he died the following year. William, the sixth lord, the brother of one of the Queen's Maries, was one of the leaders of the Reformation, which, however, did not prevent his being a faithful friend to his Queen, and he was by her side when she hastened from the disastrous battle of Langside. Both he and his wife shared the earlier years of Mary's captivity in England, and both never ceased their exertions in her cause. In 1573 he returned from England, made his submission to the government of the boy King, and for the next twenty years occupied himself unobtrusively in the business of the country. The next lord made himself useful to James VI., was along with his wife (who was a Catholic and got into great trouble with the Presbyterian ministers on that account) appointed Guardians of the Princesses Elizabeth and Margaret, and was, on the occasion of the baptism of Prince Charles, created Earl of Linlithgow. His son, the second Earl, continued the tradition of the family in being a favourite at Court, and was appointed Vice-Admiral of Scotland, not perhaps a very arduous office in these days, though he must have been very proud of it as a portrait of him is still in existence in which his honest though not very distinguished-looking countenance beams with satisfaction as he holds in his hands an obsolete type of some naval instrument, possibly a sextant. He was also Keeper of the Palace of Linlithgow, an office which his father had held.

The third Earl was a soldier all his life, beginning his service under Sir John Hepburn in the thirty years' war. He became the first colonel of the Foot Guards, an office which he exchanged in 1684 for the somewhat incongruous one of Lord Justice-General. His son the next Earl was also a soldier, but had a shorter career than most of his family. With the fifth Earl the fortunes of the Livingstons were eclipsed. A Jacobite Peer, he was attainted and his estates forfeited in 1716. On his death in 1723 he left an only child, Anne, who married William Boyd, Earl of Kilmarnock, whose execution on Tower Hill in 1746 has been the subject of many a graphic narrative.

It is impossible within due limits to indicate the many distinguished persons who have made the name of Livingston honoured through both Continents. Among the more notable peerage honours which fell to them may be noticed that of the Viscounty of Kilsyth, which was created in the person of Sir James Livingston of Bencloich in 1661. But this title too was forfeited in 1715.

The holders of the Newburgh Peerage were in a way more fortunate, Royalists though they were. Sir John Livingston, the first Baronet of Kinnaird, accompanied James VI. to England, and so ingratiated himself with His Majesty and his successor that he was created a baronet in 1627,

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while his son Sir James was raised to the Peerage under the title of Viscount Newburgh and Lord Kinnaird at the early age of twenty-five. After the Restoration he was further promoted as Earl of Newburgh and got the more substantial benefit of a lease of the customs of the Border for a term of twenty-one years. His son, involved in Jacobite plots, narrowly escaped by finding bail for £5000. He died in 1694, and the Earldom descended to his only child, a baby girl. She married, in time, as her second husband, Charles Radcliffe, the next brother of the unfortunate Earl of Derwentwater. He did not take warning by his brother's fate, but was 'out' in the '45, and the executioner's axe clumsily severed his head from his body in the following year. The Earldom of Newburgh now went through various vicissitudes. It was not forfeited by the attainder of Charles Radcliffe and was inherited by his eldest son (there being no sons of the Countess's first marriage). His son in turn succeeded, but on his death without issue the title devolved upon a person with eight Christian names, but who was known as Prince Giustiniani, who was the great grandson of Charlotte Livingston by her first marriage with Thomas Clifford. He took no steps, however, to establish his right to the title, and it was erroneously assumed that as he was an alien the right would pass to the descendants of the younger daughter (a daughter by the second marriage) of Countess Charlotte, Lady Mary Radcliffe, who married Francis Eyre, by whose descendants it was accordingly assumed and borne till 1858, when a lady with ten Christian names, the daughter of the above-mentioned Prince, was naturalised and proved her right to the Earldom. She married the Marquis Bandini, and the title is at present vested in the person of her grandson Carlo.

There were many Livingston families who did not attain to the dignity of the Peerage, and the history of all of them is carefully treated in detail by the author. The Livingstons of Newbigging had no doubt a fleeting glimpse of Peerage honours in the person of Sir Thomas, who was created Viscount of Teviot in 1697, but he died without issue and the Peerage came to an end, and a Baronetcy, which he had got in 1627, also expired when his brother died in 1718.

The Westquarter family were an important branch, but the succession was very erratic, and the estates came ultimately into the hands of the Bedlormie branch; the next owners were the Fenton-Livingstons, and with them closed the ownership of Westquarter, which was sold in 1909.

The family of Parkhall, who still retain that estate under the name of Livingstone Learmonth, call for no special mention. The Dunipace Livingstons were to some extent more interesting, having had a Baronetcy conferred on Sir David in 1625 with remainder to heirs male whatsoever. The first Baronet dissipated his estates, left his family in poverty, and the title has never been taken up since, though some one must be entitled to it.

It is impossible to mention even by name the other cadet branches to which chapters are devoted. There are full accounts of Virginian Livingstons, who came from Aberdeen, besides Highland and Irish branches and two French families of the name whose progenitors were in the Scottish Archer Guard. The Scottish descent of the Livingstons of the Manor

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of Livingston in the Province of New York is also given, the American generations having been already treated of by the author in another large book.

It will be seen from the above that this is a very exhaustive family history, and puts on record probably everything that is known about the name so far as our knowledge goes at present. It has been compiled with much loving care, and if it is not altogether for the general reader it will at least prove a mine of information for persons engaged in genealogical research, or who may wish to trace the historical sequence of any of the families mentioned. Besides being excellently compiled, the book has several special features to recommend it. At the end of each chapter there are relative notes and references giving chapter and verse for every statement in the text. The last two chapters of the book are specially interesting: the one treating of the castles and mansions occupied or owned by Livingstons in the olden time; the other deals with the heraldry of the family, which in some cases shows strange variations, particularly in the crests. The cinquefoils or gillyflowers are, however, a constant feature, though the origin of these together with the royal treasure borne by some branches of the family is a matter of conjecture, as is the reason why no less than a dozen different mottoes should be borne by various offshoots. There are eight coats of arms illustrated in colour from the pencil of Mr. Graham Johnston of the Lyon Office, which are exceptionally fine specimens of heraldic art, and there are no less than twenty portraits reproduced. These vary in merit, but there is a charming portrait of the last Viscount Kilsyth, the famous Jacobite soldier, representing him as a boy sitting on a grassy bank, with a spaniel of somewhat disproportionate size sitting at his feet, along with some trophies of the chase. It is a pity that the artists' names are not, when known, given.

JAMES BALFOUR PAUL.

A HISTORY OF SCOTLAND FROM THE ROMAN EVACUATION TO THE DISRUPTION, 1843. By Charles Sanford Terry, Litt.D., Burnett-Fletcher Professor of History in the University of Aberdeen. Pp. lvi, 653. 8vo. With Portrait, Eight Maps and Thirty-two Genealogical Tables. Cambridge: University Press. 1920. 20s. net.

PROFESSOR TERRY has re-written the history of Scotland on a scale which will appeal to those who have not leisure or inclination to read works in more than one volume and those who have out-grown the use of school-books. In other words, he has endeavoured to supply the need of both general readers and students; and it may not be easy to determine which of the two classes is the more to be congratulated on the result of his labours.

To achieve the degree of compression required for a work of this kind without prejudice to clearness must have been a most difficult task; and Professor Terry has been very successful, except perhaps where, in the laudable desire to present his facts in their proper sequence, he approaches them from one point of view and then returns to them from another. There is much to be said for this method, which avoids the discursiveness of chronological narration; but it may occasionally perplex the reader, as

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in the case of Solway Moss, p. 168, and also pp. 370-381, where Montrose's defeat at Philiphaugh and the surrender of Charles to the Scots are twice mentioned in different connexions. The constitutional history of Scotland—such as it is—might have received more attention from one who has written a treatise on the Scottish Parliament. Social and intellectual life is almost excluded from the survey till in the eighteenth century it becomes the main theme; and then the economic development is rather crowded out by the literary and philosophical revival. Battles, except of course in their antecedents and results, are barely mentioned; but, as a set-off to this scant allowance of fighting, we have the insertion of much that is quaint and enlivening from original sources, and notably the two vivid characterisations of James VI.

The pre-Reformation period is disposed of in 182 pages, and thenceforth full advantage is taken of the larger canvas. The compression in this part of the book is indeed rather intensified than relaxed, but it is less apparent owing to the necessity of working up into the narrative a greater wealth of detail; and the author threads his way through the mazes of political and religious dissension with an impartiality which is even more remarkable than his skill. These qualities are satisfactorily tested in the reigns of Mary, James VI. and Charles I.; but perhaps the most judicious and interesting chapters are the three which carry the narrative from 1660 to 1688. As the biographer of Claverhouse, Professor Terry must have been already familiar with the central part of this period; but he achieves his greatest success towards its close.

The chapter on the Union comprises a graphic and very accurate sketch of the Darien scheme; and it is safe to say that there is not one of the many influences promoting or obstructing the Union which does not receive adequate recognition in this masterly and vivacious survey. Here and elsewhere the narrative is happily embroidered from the contemporary records—for example, in regard to the Marquess of Athol, 'whom caution had removed to Bath, ostensibly to 'pump his head.' The style of the book accords admirably with its rugged strength. It is terse, if not brusque, epigrammatic and frequently picturesque. These qualities are conspicuous in the brief opening chapter, 'The Roman Episode'; but the flavour which provokes an appetite for so much solid fare is, as it should be, too pervasive to be tasted in quotation.

There is reason to believe that Scottish history as taught to junior students is by no means a virile diet; and it is much to be desired that Professor Terry should prepare a school edition of his book.

W. L. MATHIESON.

GEORGE, THIRD EARL OF CUMBERLAND (1558-1605): HIS LIFE AND HIS VOYAGES. A Study from Original Documents. By Dr. G. C. Williamson. Pp. xix, 336. 8vo. Cambridge: at The University Press. 1920. 25s. net.

THE first Lord de Clifford was killed at Bannockburn. The eleventh was made Earl of Cumberland by Henry VIII. and became grandfather of the hero of this work. The author has discovered, and has been permitted to

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use, documents hitherto unpublished, including original letters and 'the three stately manuscript volumes of the Clifford papers.' He tells us that Earl George, an orphan at eleven, was sent when thirteen years of age to Cambridge, the first Earl of Cumberland to have a university education. He remained at college over three years, and his expenses of residence amounted to nearly £200, which the author thinks 'in those days was a very considerable sum.' It covered his buttery charges, tutors' fees, breakfasts, candles, wood, coal at 15s. (£2 of our money) a load, fees for two doctors and cost of medicines to the 'Apotigary,' dancing lessons, a 'gittern lute,' a bowe and arrows, his clothes (some of silk and taffeta), his laundry bill, his pocket money and the cost of keeping two horses and a groom . . . We almost wonder how he did it, and read without surprise that he had his breeches mended for 1s. 6d., his hose footed for 4d., and that he paid 1d. for a comb.

At nineteen he was married to Lord Bedford's youngest daughter, who was not yet seventeen. He does not seem to have spent much of his life in her companionship. She lived at his castle of Skipton in Yorkshire. He became a diligent attendant at Court, and was one of those famous adventurers who, after Drake, carried on the process of 'singeing the King of Spain's beard,' to their country's profit, not forgetting their own.

The chief part of the book is given to his twelve expeditions to this end. The last, in which Puerto Rico was taken and held till fever made it untenable, was the most important. Lord Cumberland did not accompany them all, though he equipped or helped to equip them. The fifth has an interest of its own. Detained for three months in Plymouth by contrary winds, it sailed in 1592 and he remained on shore. It consisted of five ships. They joined forces off the Azores with part of another English expedition and together captured the *Madre de Dios*, probably the richest prize ever up to that time brought to England.

They took 800 negroes out of her, a rich booty that seems hardly to have been missed. For she was laden with spices, pepper, drugs, ambergris, carpets, calicoes, ivory, porcelain, hides, carved ebony furniture, jewels of great value, including diamonds and pearls, besides other wealth. Much was transferred to the Earl of Cumberland's ships and not accounted for at the final settlement. Much of the cargo and most of the jewels indeed never came to light. Sir John Burrows with a prize crew took the ship home in the Queen's name. But the crew put into various ports in the Azores, and at each sold for their own benefit part of the treasure. The huge vessel, after enduring terrible storms, was brought into Dartmouth late at night. Then began a scene described as like Bartholomew Fair. The sailors carried ashore and sold what they liked. The rabble plundered at their will, and there was no one with authority or power to stop them.

News came to the Privy Council, and a Commission, Robert Cecil at its head, was sent down post haste to take possession. But private enterprise was quicker. Every jeweller in London had agents to meet the carrack. There were two thousand buyers. The Queen had few troops and no ready way of transporting them. When the Commission arrived much of the most precious booty had disappeared. But there was still a vast

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treasure to examine. Things of great value were found hidden in the private chest of the commander, Sir John Burroughs, who, however, does not seem to have suffered any penalty even in public estimation.

The various adventurers were awarded their shares. The Queen got a tenth, and in addition, '*ex gratia*,' the pepper. The pepper filled the holds of six ships and was brought to London, where she sold it for £80,000 to a syndicate, whom she protected by prohibiting all importation of pepper till they, in turn, should have sold it. Lord Cumberland was awarded £36,000, with the view of encouraging him to further adventures. But no Commissioner ventured to search his returning ships, though, as Raleigh bitterly says, they overhauled his to the keelson.

Lord Cumberland was always a courtier and lived in the favour of his virgin mistress, who endured no rivals and exacted unstinted devotion of life, property, deeds and even thoughts to her service. It is recognised that this was, though enforced in Tudor fashion, the service of England. Her task was almost overwhelming, her resources in men and money what we should call miserably inadequate. Yet she made them serve. The author harps too much on her rapacity.

Dr. Williamson is a practised biographer. He has all the needful zeal, industry and conscientious devotion. Yet he lacks the incommunicable art of the story-teller. He heaps up information, and we gather with interest even the scraps—the sort of food supplied to the navy, the mention of fraudulent contractors and victuallers, of allies supplying the enemy with food and munitions, of the maimed in war losing their home jobs and coming on the parish, of plans known as promptly to the enemy as if Spain had been the Sinn Fainn. We are grateful for the light thrown on the hero of the book, his associates and the times in which they lived.

The book has a good index and is adorned with many fine illustrations, including seven portraits of Lord Cumberland. One of these might have been spared in return for a good map of his voyages. ANDREW MARSHALL.

OLD ENGLISH BALLADS, 1553-1625. Chiefly from Manuscripts. Edited by Hyder E. Rollins. Pp. xxxii, 423. Cambridge : at the University Press. 1920. 18s. 6d. net.

INSCRIBED to Professor Firth this capital addition to the ballad treasury of Great Britain is the editorial spoil of Dr. Rollins, Assistant Professor of English in New York University. It presents in handsome guise no fewer than seventy-six poems reproduced either from manuscript or from broad-sides which are often as rare as manuscript. Great care has been taken to search out the contemporary side-lights of ballad history coming from calendars of state papers and the like as well as from the numberless publications which form '*fasciculi*' of ballad texts. The introduction neatly and competently classifies the pieces, differentiates their motives and places them in their general relationship in the whole series. The seventy-six items consist of ballads on Queen Mary and on Queen Elizabeth, Catholic ballads, protestant ballads, miscellaneous ballads, appropriately ending with (odd juxtaposition) '*The Parliament of Devils*,' followed by '*A singular salve for a sick soul*.' The categories are thus comprehensive enough. . .

The selection largely reflects the controversies of the Reformation, and therefore the introductory discussion deals with the persecution of protestants under Mary and the protestant reprisals under Elizabeth and James. These burning questions indeed considerably 'fill the bill' of the book and dominate the study prefixed. Both sides are represented, and the editor has some justification for his opinion that the balance of merit and spirit inclines to the Catholic production. Direct use of historical incidents and allusions to the religious movement and changes of the time occur throughout. Cases of individual martyrdoms and persecutions are the subjects of specially doleful yet earnest ditties, notable among them those on Robert Glover, protestant, burnt 1555, and John Careless, also protestant, who died in prison 1564. Later pieces include a denunciation of the 'hereticke' John Lewes, burnt 1583, the outburst of metrical indignation against Edmund Campion, Jesuit, executed for the faith 1582, and the laments over the four priests who suffered for the like cause 1601, as did John Thewlis, 1616, on whom two remarkable ballads appear, the one theological in purport, but the other a crude but graphic narrative of a pitiful doom. What a percentage of doctrine can be dissolved into a ballad, how even the crucifixion can serve for a theme not to mention the cross itself, is shown by this noteworthy collection. The pessimist flourished too : one may not be surprised to find him a Catholic, fallen on evil days, denouncing the reformed tenets :

They deem them selves predestinantes,
yet reprobates indeede
Free-will they will not have ; good workes
with them are voyde of neede ;—
Which poyntes of doctrine doe destroy
eich commonwealth and land :
Religion ould in order due
makes Kingdoms longe to stand.

More curious are thirteen stanzas soon after 1603 'by a lover of music and a hater of the Puritans,' whose iniquities included hostility to song and harmony :

They doe abhorre as devilles doe all
the pleasant noyse of musiques sounde
Although Kinge David and st. Paule
did much commend that art profound :
Of sence thereof they have noe smell
Noe more than hath the devilles in hell.

The miscellaneous pieces are chiefly religious in cast, but among them is a capital 'Song of the Duke of Buckingham,' being an earlier and better version than that in the Percy Folio of a political tragedy in 1483. It is a surprise to find so little trace of Scotland and the Scots in this considerable bagful of storied song, but one satire *circa* 1620 follows a familiar strain of jibe at the unpopular immigrant. It tells how formerly the old English beggars swarmed at fair and market, feast and farm :

But nowe in these dayes from Scotland we see
for one *English* begger, of Scottes there come three :

In fayers and markets they scorne to abide
the courte is theire Coverte to mainteine theire pride
by begging, by begging.

This incomplete summary will show what a mass of excellent song-stuff—some of it for literature, all of it for history—is still coming and to come from the commonplace books, the private copy-books, and even the household account books of unknown people who loved and preserved these pious, controversial, mournful, joyous and satirical ditties and rimes on current things which were indeed the ballad singer's joy.

It is not easy to divine the motive of the selection. Evidently the editor found an attraction in his reiterated conclusion that the Protestant barbarities against Catholics outdid those of Mary against the reformers, and form a very dark blot on 'the spacious times of great Elizabeth' and on the reign of her successor. A critic is not called on to settle the comparison, but he welcomes the opportunity of saying that Dr. Rollins approves himself at all points a skilful and sympathetic editor, that he enriches his text by his commentary, and that his substantial and deeply interesting book does honour even to its distinguished dedication.

GEO. NEILSON.

DOMESTIC LIFE IN SCOTLAND, 1488-1688 : A Sketch of the Development of Furniture and Household usage. (Rhind Lectures in Archaeology, 1919-20.) By John Warrack. Pp. xvi, 213. With Sixteen Illustrations. Crown 8vo. London: Methuen & Co. Ltd. 1920. 7s. 6d. net.

THOSE who attended Mr. Warrack's lectures in the spring of 1920, and a large public besides who are interested in the romance of the past, will welcome the appearance of this volume.

Mr. Warrack has delved deep in musty records and literary works, and has produced from his finds a series of pictures of Scottish interiors characteristic of the various political periods to which he refers them. He commences with the feudal castle with its great hall sparsely furnished, and while he details its picturesque appointments he corrects any tendency to undue admiration by adverting to some of the inelegant social usages of the time. Let it suffice to mention one. It was bad manners to blow the nose at meals without turning aside the head!

His picture of the pre-reformation parson of Stobo in his manse at the head of the Drygate of Glasgow, shows a condition of luxurious living among the clergy which, if general, explains much of the spoliation of church property which followed a few years subsequent to this worthy cleric's death. From his income of 2000 merks a year from the benefice of Stobo one would like to know how much he allowed the rural vicar who had the cure of souls in Stobo. His bed is carved and gilded, and hung with damask curtains; his watering pot is of silver, he has chains and ornaments of silver and gold, and such a wardrobe as would enable him to cut a fine figure indeed as he walked the streets of the Glasgow of his day.

To those of us who accept the terms of objects of daily use without troubling as to their true intent Mr. Warrack has much information to give.

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He tells of the evolution of the cupboard from a table to display cups on, to a press in which to conceal them ; and of many other developments and changes which have brought about the fashion of our homes as we know them, and of our manners with which, perchance, we grace them.

Mr. Warrack has used his evidence with restraint, and not generalised too freely when facts did not warrant it, as is too frequently done in treating of times bygone. If occasionally he seems a little discursive it must be remembered that these sketches were written to be delivered in the form of lectures which of necessity must be less condensed in their matter. It is to be hoped that some day Mr. Warrack will carry his enquiries farther and give us a picture of life in Scotland in the eighteenth century with an account of the development of the household furnishings, a period for which he would find ample material to work on.

ALEX. O. CURLE.

THE CHARTULARY OR REGISTER OF THE ABBEY OF ST. WERBURGH, CHESTER. Edited with Introduction and Notes by James Tait, M.A., President of the Society. Part I. Pp. i, 256. Small 4to. Manchester : Printed for the Chetham Society. 1920.

THE Chetham Society has conferred another great boon on northern antiquaries by the publication of the first part of the chartulary or register of the famous abbey of St. Werburgh, Chester, under the immediate supervision of Professor Tait, president of the Society. It is not easy to write with reserve of the importance of some of the deeds comprised in this collection. Not only has the abbey of Chester its roots firmly fixed in the pre-Conquest period, but its refoundation on a Benedictine basis by the Norman earls of Chester invests the charters, given to the community in the early twelfth century, with an interest and importance not altogether confined to the locality. Though most of these early deeds were known through the reports of Dugdale, Ormerod and others, we have at last been supplied with the best available texts and a critical discussion of their integrity. It is fitting that such a work, in view of the position that the abbey held among northern ecclesiastical institutions, should have been entrusted to Professor Tait.

It is satisfactory that the charter of King Edgar to the religious community of St. Werburgh in 958, so long regarded as a forgery or at least treated with suspicion, should now be vindicated as authentic, 'though absolute proof is not within our reach.' This conclusion has been formed after consultation with Mr. W. H. Stevenson and Dr. Henry Bradley, and from such a court of experts it will be hazardous to appeal. The document supplies the earliest trustworthy evidence of the existence of a collegiate church in Chester, entitled in the name of St. Werburgh, and thus goes a long way to settle the claims of rival founders.

The *testimonium* of Archbishop Anselm, said to be 'the earliest extant document of its kind issued by an English archbishop,' by which he confirms the refoundation of the old college of canons into a Benedictine institution by the first Norman earl of Chester at the close of the eleventh century, throws a welcome light on the procedure of the period. It

reflects, we believe, the general mode of reconstruction in Scotland, as well as in England, when native institutions were superseded by those of the continental type of ecclesiastical organization. That which happened to the old canons of St. Werburgh at the time of the reconstitution of the abbey was the same as the treatment that King David I. at a later period meted out to the Culdees of St. Andrews. As the Culdees were permitted to retain possession of their old status for life or to embrace the Augustinian Rule and become canons of the newly-founded priory, in like fashion the prebends of the old community of St. Werburgh could only revert to the new monks after the decease of the prebendaries, not as Dugdale inferred, that the old canons were obliged to become monks of the new foundation. The document, here printed at large, is worth the close attention of students of ecclesiastical origins in Scotland.

The deeds in this portion of the collection, 408 in number, though relating largely to Cheshire, have an external interest by reason of the feudal status of the early benefactors of the Norman institution, not only of the famous family of the founder, Hugh of Avranches, and his successors in the earldom, the family of Meschin in the twelfth century, but of the *principal potentates* on the Welsh Border. The contents of the volume touch general history in various particulars, not the least of which is the extraordinarily interesting *carta communis Cestrisirie*, which Professor Tait denominates 'the Magna Carta of Cheshire,' whereby Earl Ranulf III. conceded certain remarkable liberties to his Cheshire barons on their petition about the date of Runnymede. The immunity from service beyond the eastern boundary of Cheshire without their consent or at the earl's expense reminds us of the claims of the Cumberland tenants on the Scottish Border in the old fief of Ranulf I. when lord of that district. One would like to know more of the incidence of foreign service and its relation to castleguard at home both for the tenants within the county and outside it. There is a curious similarity in the military features of Border fiefs, whether with regard to Wales, Scotland or Normandy, which have been, so far as we know, never fully worked out.

There is a slip on p. 71 where the late Sir Archibald Lawrie is misnamed, and it is doubtful whether the editor is justified in describing any member of the earl's family as *le* Meschin. It may be allowable in the case of other families, like those of Brus and Percy, to distinguish the younger from the elder of the same name, but in the usage of the earls of Chester and collateral branches, Meschin was the family name without reference to age or status. In one of the deeds of this register Ranulf, son of William, the founder of Calder Abbey in Cumberland, describes himself as Ranulf de Ruelent (Rhuddlan), son of William Meschin, which is curious. He was probably born at Rhuddlan. But the volume is so full of historical materials, bristling with points of interest on almost every page, that we need only refer the reader to a diligent perusal of it.

JAMES WILSON.

THE ENGLISH CATHOLICS IN THE REIGN OF QUEEN ELIZABETH, 1558-1580. A STUDY OF THEIR POLITICS, CIVIL LIFE, AND GOVERNMENT. By John Hungerford Pollen, S.J. With 8 Illustrations. 8vo. Pp. viii, 387. Longmans, Green & Co. 1920. 21s. net.

FATHER POLLEN has now published in consecutive form some results of the long studies which have already borne fruit in various articles in *The Month*, and in the introductions to volumes xxxvii and xliii of the Scottish History Society. His work is based upon original authorities, and besides the sources commonly used he has been at pains to consult the manuscripts preserved in the archives of Paris, Simancas, the Vatican, the English College at Rome, Westminster, and Stonyhurst. The book, therefore, is well 'documented,' and—to quote his own eulogy on Nicholas Sander (p. 306)—we shall always find him a witness on the Catholic side who is worthy of attention. An impartial historian, however, he is not, although he makes a genuine effort to be fair. To Queen Elizabeth, luckless victim—as he supposes—of hard times and evil counsellors, he is surprisingly lenient, and to Burleigh, though he exaggerates that statesman's antipathy to Spain, he shows himself not ungenerous (p. 14); but from a historical standpoint the book is vitiated by the unfortunate consequences of the writer's firm conviction that the Church of Rome is eternally in the right. Such a conviction, indeed, is not necessarily incompatible with the writing of sound history, but in this case it has prevented the author from fully understanding the dilemma which confronted both the English government and its Catholic subjects, and it has also caused him to judge somewhat partially the deeds and motives of the great protagonists.

The reason for Father Pollen's failure to grasp the real point at issue is obvious. Confident in his faith he sees, in the universal spiritual dominion of the Popes, nothing incompatible with the temporal dominion of princes. Nowhere does he lay stress upon what was the great drawback of the Roman religion in the eyes of a race which gloried in the new-found 'nationality,' the fact that the rule of the Pope was a 'foreign' domination. For our author, Burleigh is not an English statesman, but a 'Protestant courtier' (p. 329), and by constantly underrating the strength of the appeal of nationality, he fails to make clear the main difficulty of the English Catholics. With the Elizabethan government he is no more successful. Constantly distinguishing between the 'spiritual' and the 'temporal' ambitions of Catholicism, he is unable to see why the English ministers pursued a policy of persecution. A passage on page 303 reveals very clearly his attitude of mind.

'It was not the conquest, humiliation, or the dismembering of his country of which he [Sander] was thinking, but of the re-establishment of religion, law and order in place of regal tyranny and heretical licence with revealed doctrines.'

This may be true. But the English government could not direct its policy by what Dr. Sander was thinking, what concerned it was the 'conquest and humiliation' which would inevitably ensue if once his thoughts were clothed with action.

More serious than Father Pollen's failure to appraise the questions at issue between the Tudor government and its Catholic subject, is the partial way in which he distributes his censure and his praise. Firm in his belief that Rome was always right, he (unconsciously perhaps) applies one standard to the defenders of the Faith and another to her opponents.

The government's use of spies is everywhere condemned, but it is quite innocuous (or even meritorious) for Catholics to 'elude' tests by taking oaths against their convictions (p. 253), to bribe governmental officials (p. 342), and to engage in conspiracies (p. 183). That Queen Elizabeth's ministers persecuted can be denied by no sane historian, but our author makes no mention of a fact which his book abundantly proves, namely, that—except in great emergency—the officials preferred to wink at a great deal, nor does he ever think of comparing the lot of an English recusant with the fate of a heretic in Spain. To Bonner and his burning confrères is applied a standard of *real politik* (p. 7). 'They had not the instinct to see where to stop'; but there is no justification for the proceedings of the English government, even though (p. 250), if judged by the same standard, those proceedings were most successful. Drake was a pirate who in 1581 came home 'laden with the spoils of a country with which England was at peace' (p. 15), but if the Spanish Council (though it may not have planned Elizabeth's assassination) prepared in 1571 to utilise the *coup* if it were made, its action is 'not edifying,' but not 'very astonishing' (p. 180). 'The theory that paternal tyranny is the ideal form of government' is dismissed as 'radically unsound' on p. 188, but when (p. 66) the Catholics took the view that the object of a council was not to judge the Pope, but to hear his judgments, their attitude is considered perfectly orthodox. The original intention of Ridolfi may have been not to assassinate Elizabeth, but to convert her (by a *coup d'état*, of course); but though Father Pollen undoubtedly proves that the account of Pius V.'s share in the transaction, as given in the *Acta Sanctorum*, rests on a mistranslation, he will hardly convince most readers that, in the eyes of the compilers of the *Acta*, Elizabeth's taking-off was not an enterprise which might well engage the consideration of the Saint (p. 125, note 2). *Pius cogitabat illam malorum omnium sentinam, seu (ut appellabat ipse) flagitiorum servam, de medio tollere* can hardly bear any other meaning. After all, Pius had certainly excommunicated the Queen, he did encourage Ridolfi, and Ridolfi's schemes, however they began, certainly ended in an 'enterprise of the person' of a most suspicious kind (p. 176). It would be easy to add further instances of the writer's partial judgment, but one more must suffice. We read (p. 183) that in August, 1572, the Earl of Northumberland was executed. 'On the same day the French King and his mother Catherine de Medici perpetrated a *still graver* crime in the massacre of St. Bartholomew.' Incidentally, were not the Guises involved?

Having considered the light in which Father Pollen views the problem, and the standards by which he judges action, we can now approach his main thesis. Beginning with a description of the complete collapse of Catholicism in 1559, he goes on to show that the 'political' attempts of the Catholic princes were unreal, ill-coordinated, and ill-timed, and that their

effect was not to improve, but to damage, the position of the English Catholics, which reached its nadir in 1568 (p. 111) or in 1573 (p. 250). But all the while there was springing up, unseen, a fresh spiritual impulse which expressed itself (pp. 106-11) in a new controversial literature, 1564-1567, and in the founding of the Seminaries (chap. vii.), and which worked up triumphantly to the great mission of 1580 (chap ix.).

The first chapter, though written from a Catholic point of view, is clear, sound and full of information; the account of the Catholic reaction and the counter-Reformation abounds in interest, and will be, for the average English reader, the most valuable portion of the book. It is to be regretted that Father Pollen (than whom none could do it better) has not told us more of the home life of the honest, valiant 'recusants' who would remain English, but could not find it in their hearts to conform. Unfortunately, however, captivated by his interest in the 'political' side of the counter-Reformation, he devotes much space to questions which have already been fully discussed by Knox in his *Letters and Memorials of Cardinal Allen*, and by Kretzschmar in *Die Invasionsprojekte*. Much of the book, indeed, is devoted to the doings of the Catholic fugitives and their schemes for a reconquest of England.

Father Pollen, it is true, sets the matter in a somewhat new light. He gives evidence to prove that the Catholic League, so dreaded by Elizabeth's ministers, was a myth, and that the excommunication—a purely legal measure resting on no religious dogma—would not necessarily involve the destruction of Elizabeth. He goes on to prove that the English government, which he represents as an influential minority (a kind of 'Soviet,' perhaps) deliberately made capital by exaggerating the dangers of Catholic invasion, and (p. 241) was 'mean enough' to employ the alleged danger 'as an incentive to further persecution.'

This is hardly fair to the Elizabethan government. The Bull had certainly been issued to support a rebellion (p. 294), and, even after it received the mild interpretation of 1580 it still laid upon Elizabeth the 'unchanging anathema.' Neither the Pope nor any other Catholic doubted the Papal power to depose monarchs, and if Father Pollen condemns the Bull at all it is only because it was not too well timed (p. 158).

However one might explain the Bull away, it was a reality. The course of history and the evidence of the archives prove that the Catholic League was not. But the Age, still tinged with the 'Universalism' of the Middle Ages, was prone to believe in Leagues, and the Elizabethan government (which lacked both our experience and our information) may be pardoned for its mistake—a mistake based not only upon the reports of untrustworthy spies, but on the evidence of the Bishop of Ross himself (p. 339). After all, one Pope (p. 164) had certainly encouraged the Ridolfi plot; another had sent to Don John not only 50,000 crowns to aid his enterprise, but also (possibly) the investiture of England or Ireland (p. 216), had encouraged Stukely and had equipped Fitzgerald. Father Pollen, who thinks that the Pope's conduct in these affairs was marked by 'very great imprudence' certainly succeeds in proving that the connection between such political adventures and the despatch of the Catholic mission is more

slender than has been imagined (p. 232 and p. 332). But as the life of Persons shows, it was impossible to draw a rigid line between spiritual and political aggression.

If, then, the Elizabethan government showed its fear of a great Papal League, such fear was not unnatural; but Father Pollen is right in his contention that the main strength of the Papacy was not the calculating support of the Princes, but the courage and devotion of the missionaries. With the story of Edmund Campion the work closes on a high note of courage and optimism.

If Father Pollen, as he seems to imply, will tell in another volume of the success which these missionaries enjoyed, his book will be heartily welcomed.

J. DUNCAN MACKIE.

DIPLOMACY AND THE STUDY OF INTERNATIONAL RELATIONS. By D. P. Heatley, Lecturer in History, University of Edinburgh. Pp. xvi, 292. 8vo. Oxford: Clarendon Press. 1919. 7s. 6d. net.

By an oversight attributable to the reviewer and not to the editor (for which the former tenders his apologies to the author), notice of this book has been too long delayed, for it is a work of varied interest and erudition, deserving a cordial welcome from the intelligent general reader and the student of modern history. Although it is neither a collection of essays nor a text book in the technical sense, its remarkable apparatus of citation and references make it approximate to a book of the latter kind. If the first paper, from which its title is derived, is on the whole disappointing, the balance is redressed by three others of outstanding merit, (*a*) on the juristic literature of the development of international understandings as law, which fills a gap too often noticeable in modern English text books on International Law. In these one looks in vain for a critical appreciation of the classical writers, Vattel, Wheaton, Martens, Phillimore and others, who are constantly referred to as if they were of equal value. The present author's contribution towards filling this gap deserves nothing but praise; (*b*) a well informed and well written account of the seventeenth century controversy on the sovereignty of the seas, which is given as an illustration of controversial literature for the benefit of historical students. Here again the author's wide reading and scholarly understanding command respect; and (*c*) an excellent account of the earlier projects for perpetual peace which have not been without their effect in establishing the League of Nations on a foundation of governmental support which none of its predecessors had the good fortune to enjoy. Historical student, as he is, the author is not inclined to be sanguine of the success of the present scheme even with its advantage above referred to.

Attention should be drawn to two important appendices, the first containing a rich and varied selection of extracts illustrative of the function of the ambassador, the qualities of the diplomatist, and the conduct of negotiations. And the second, taken from more or less contemporary sources, on more modern aspects of the same subject. Of especial value in view of the popular demand for open diplomacy are the extracts from the

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Report of the Select Committee on the Diplomatic Service of 1861 which the author gives at pp. 250-259. His own conclusions, as contained in his first paper, are substantially based on this report. He has some good remarks on the true nature of control over the determination of foreign policy in a country such as ours, viz :—in Parliament's command of the purse and the responsibility of ministers to the House, and he recognises, as did the resolution of the Imperial War Conference of 16th April 1917, the right of self-governing Dominions and India to an adequate voice in the conduct of foreign policy and full information on foreign relations. The conclusion of peace has not deprived this question of its topical importance which dominate all others in the internal relations of the Empire.

A. H. CHARTERIS.

HISTORY OF THE BERWICKSHIRE NATURALISTS' CLUB. Vol. XXIV. Part I. 1919.

HAVING as its frontispiece a portrait of the late Commander F. M. Norman, R.N. (preceded by a *Roll of Honour*, 1914-18), this issue opens with the anniversary address of the president, Professor R. C. Bosanquet, on 'The Beginnings of Botany—some Notes on the Greek and Roman Herbalists.' The early botanists of Greece and Rome are discussed with wealth of reference and illustration, and the mixing of magic with medicine down the ages is emphasised. The coming of Christianity did little or nothing to shake the belief in exorcisms, prayers and set formulae carefully observed.

Reports of meetings and excursions follow, including one to Traprain Law, where Mr. A. O. Curle gave an instructive address. The next paper is on 'Border Bookplates' with illustrations, by Mr. T. G. Leadbetter, and there are several shorter articles and interesting notes.

In the last paper Dr. George Neilson writes on 'Birkenside and the Stewardship of Scotland,' giving text and translation with notes of Charter by Malcolm IV. in favour of the Steward of the lands of Birkenside and Legerwood. The article is furnished with six pages of excellent facsimiles and a sketch map. New light is thrown upon the relations of the Skene and Balfour copies of the Stewardship Charter, placing the Skene copy in its rightful place of accuracy, and showing up Sir James Balfour's unwarrantable tampering with his original. Having misread in Sir John Skene's copy of the lost Charter the contracted word *postquam*, rendering it *priusquam*, Balfour did not hesitate to add a non-existent date, and to make other clumsy and misleading attempts to render his copy consistent with itself. Hence have naturally followed confusion and doubt as to the authenticity of the Charter preserved by Skene. Balfour's garbled copy has, as is well known, been printed in sundry important historical volumes, e.g. the *Register of Paisley*. Aided by Dr. Maitland Thomson, Dr. Neilson has now cleared up what was dark, and by putting before the reader the text in facsimile of Skene's transcript and Balfour's 'doctored' copy thereof, he has placed the authenticity of the Stewardship Foundation Charter on firmer footing than ever before.

JOHN EDWARDS.

CARMINA LEGIS OR VERSES ILLUSTRATIVE OF THE LAW OF SCOTLAND.
By W. M. Gloag. Pp. viii, 82. Glasgow : MacLehose, Jackson
& Co. 1920. 5s. net.

AN 'attempt to illustrate the principles of the law of Scotland in metrical form' is in itself a whimsical experiment requiring a certain measure of wit to carry it off. To report a judgment and give the reasoning in rime, as for example in *Bruce v. Smith*, 1890, 17 Rettie 1000, calls for juridical equally with metrical precision. The Sheriff and the Court of Session alike rejected the custom claimed by an overlord in Shetland for his third, as his share of the prize when whales were driven ashore. In what degree apt and perspicuous a versified rendering may prove itself even at this incongruous task, may best be gathered from a quotation which is not without its felicities.

Judged by these rules the Shetland custom fails
To give a landlord any right in whales
In catching which he neither lent a hand
Nor gave the captors passage o'er his land.
There is no proof that udal law extends
Land rights beyond the point where dry land ends,
Nor that the law of Shetland would impeach
The right of fishermen to use the beach.
Then for the landlord no case can be made
Save that such claims have hitherto been paid,
But paid by men who had good cause to fear
Resistance to the claim would cost them dear.
A customary law no court will frame
From forced compliance with a lawless claim.

The poet as law reporter has to 'bridle in his struggling muse with pain' in order to satisfy the law ; and on the other hand must have his troubles in getting the question of title to sue or *damnum fatale* or maybe the Gaming Act of eighteen ninety-two into happy combination with the stanza. A critic's formula might well be to ask whether the legal or the poetic element predominates, and to answer that Professor Gloag's legal exercises in verse invite the reader rather to share the mild diversion they afford, than to disintegrate the elements of wit and metre from their coalition with the law.

GEO. NEILSON.

MYTHICAL BARDS AND THE LIFE OF WILLIAM WALLACE. By William Henry Schofield, Professor of Comparative Literature in Harvard University. Pp. xiv, 381. Medium 8vo. Cambridge : Harvard University Press. London : Humphrey Milford, Oxford University Press. 1920. 12s. 6d. net.

THE fifth volume of the Harvard Studies in Comparative Literature is devoted to a reconsideration of the problems connected with Blind Harry's *Wallace*. These have attracted an amount of attention which is somewhat remarkable when one reflects on the meagre quality of the *Wallace* regarded

as literature. The poem, however, did so much to express and nourish Scottish patriotism, it was for so long, in one form or another, familiar in Scotland, by being woven into the substance of widely-read histories, it became to such an extent the record of

How Wallace fought for Scotland, left the name
Of Wallace to be found, like a wild flower,
All over his dear country ; left the deeds
Of Wallace, like a family of ghosts,
To people the steep rocks and river banks,
Her natural sanctuaries, with a local soul
Of independence and stern liberty—

that historical students were compelled to examine it and to test its value. The task was undertaken at first with obvious reluctance by Blind Harry's countrymen, but as the historic sense quickened and the poet's vogue lessened, their treatment became more thorough till Dr. George Neilson is found asserting that 'as history the poem is the veriest nightmare.' Professor Schofield gives a sketch of the progress of opinion on the trustworthiness of Blind Harry as a chronicler, but it is no more than a sketch.

Once the critical instinct was roused other questions began to be asked, and current accounts of the author of the poem, what he has to say of himself and of the sources of his narrative all came under suspicion. The existence of John Blair, Wallace's chaplain, according to Blind Harry, and his Latin book was doubted, the picture of the author as a blind wandering minstrel was found less convincing, and that he was, as he himself declares, an unlearned man, seemed less certain. The arguments against his having been blind from birth and being 'a burel man,' based on such natural description and display of literary and astronomical lore as may be found in the poem are not conclusive. In a case of which probabilities and suppositions form so large a part it is well to avoid even the appearance of dogmatism, but these arguments seem to underrate the sense-experience of the blind and the amount of stock material and *clichés* used in the *Wallace*. Here is a passage full of delight in nature : 'What a joy it is to feel the soft, springy earth under my feet once more, to follow grassy roads that lead to ferny brooks where I can bathe my fingers in a cataract of rippling notes, or to clamber over a stone wall into green fields that tumble and roll and climb in riotous gladness.'

The passage is from Miss Helen Keller, who, when about eighteen months old, became deaf, dumb and blind, and the *Wallace* contains no lines with such a genuine passion for nature. Miss Keller has several passages of this quality. Here is one more : 'A child's mind is like a shallow brook which ripples and dances merrily over the stony course of its education, and reflects here a flower, there a bush, yonder a fleecy cloud.' In Blind Harry there is nothing so near in spirit to nature as to compel the assumption that he was not congenitally blind or indeed blind at any time. If it be argued, as it has been, that a blind man could not have had access to the material employed, especially if he were unlearned, very delightful play can be made, as has been done by Dr. J. T. T. Brown and others, with the author's knowledge of Chaucer and his scholarly allusiveness.

But if the author were a genuine minstrel he would have had access to the minstrel's stock in trade, and come into possession of a miscellaneous body of knowledge.

Professor Schofield has a theory of his own which renders unnecessary all such discussion about a real Blind Harry. He assumes that the author of the *Wallace* was called Blind Harry, but he was not a wandering minstrel and was never blind. Whatever his station may have been, he was in close sympathy with the nobility, was possibly a herald-messenger, certainly 'a vigorous propagandist, a ferocious *realpolitiker*, without principle when it was a question of Scotland's place in the sun, without reluctance to lie in manipulating history to his own end.' This unknown person took as his pseudonym 'Blind Harry,' since 'his prime object was to fan a pestilent quarrel, and he could have chosen no person more suitable to be the mouth-piece of his violent hate than a bard of Fenian blood, one of the race of Ossian, and akin to Billie Blin, alias Odin, calewise, caleworker, sower of enmities.' Many pages are devoted to the treatment of Blind Harry as a mythological personage, son of Gow mac Morn, and great-grandson of Finn mac Coul. The investigation penetrates into many nooks of curious lore and includes even a hint that Wandering Willie of *Redgauntlet* may be Billie Blin! Scott did not require to go to mythology for the original of a strolling blind fiddler with a rowth o' auld tales; Blin Bob was a well-known street hawker in Aberdeen, up to some thirty years ago, and was famous for his caustic speech, but no one ever 'evened' him to Billie Blin. There is no proof whatever that Professor Schofield has hit on the true solution of the authorship of the *Wallace* by postulating two characters, one mythical and the other fictitious. The book contains matter, such as the chapters on 'Blind Harry and Blind Homer' and 'Conceptions of Poesy,' which is only slightly, if at all, relevant to its leading proposition, and there are occasional lapses in expression.

A. M. WILLIAMS.

PUBLICATIONS OF THE CLAN LINDSAY SOCIETY. Vol. II. No. 8. Pp. xxiv., 88. Demy 8vo. Edinburgh. Edited for the Board of Management by John Lindsay, M.A., M.D. 1920.

THE last item in this, the concluding *part* of the second volume of these publications, may very properly be mentioned first:—it is a 'Roll of Honour of Clan Lindsay.' While the Roll is not held out as 'complete in extent or exact in every detail,' it is clearly the result of much research in such records as are as yet available. It contains 626 names of Lindsays or sons of Lindsay mothers, and 144 of them are recorded to have made the supreme sacrifice.

The largest contribution to the *part* consists of 44 pages, and is a historical account of the family of Lindsay of Dowhill. In its method it is a model for the treatment of such a family in such a periodical. It loses nothing by its moderation in its conclusion on the evidence that exists of the derivation of the line of Dowhill from the main line of the Lords of Crawford. The appearance of John, son and heir apparent of Adam Lindsay of Dowhill, among the heirs in the famous Lindsay entail of 16th

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October 1641, by which the Earl diverted his succession from his son 'the Wicked Master,' is sufficient by itself to presume that the family of Dowhill was reckoned among the kin of the Entailer; and the non-appearance of Adam himself and his other sons only proves that 'the Wicked Master' was not the only Lindsay who was omitted from the Earl's list. It may be remarked in passing that, on pages 278-9, in the print of the Extract of the Matriculation of John Lindsay of Dowhill's Arms, given out by Lyon on 17th September 1673, the word *effects* should presumably read *efferis*; the word *Barriemundie* should read *barrie undie*; and the word *Corse* should read *Torse*.

Some useful pages of notes of wills of 'miscellaneous Lindsays of the sixteenth century whose pedigrees are not precisely ascertained,' are contributed by Mr. W. A. Lindsay, K.C., Norroy King of Arms. In the course of some prefatory observations he says, referring presumably only to the law in the sixteenth century:—'The executor of an intestate estate is the Procurator-Fiscal, but it was the invariable practice that the Commissary appointed the wife or children—if any—as executors in place of the Procurator-Fiscal.' If the second clause of the sentence contains an accurate statement of the course of action of the court, it seems rather to shake the statement in the first clause, for there is a general admission that *cursus curiae est lex curiae*. I confess that I have not met evidence that the commissary's procurator-fiscal ever had a right to the office of executor save in the case of an individual executry to which he had been appointed and confirmed by the commissary. Still, in the annals of the consistorial courts, which earned the satire of Henryson in his *Fable of the Dog and the Sheep*, and of Sir David Lindsay's *Complaint and Testament of the Papingo*, one should be surprised at nothing.

A Scots Church statute of the thirteenth century, whether a statute for the whole of Scotland or only for some single diocese is not certain, enacts:—'As to the goods of one dying intestate, let the prelate of the Church dispose of them as in God's sight.' (Patrick's *Statutes of the Scottish Church*, p. 50.) That expressed the position of the medieval church regarding the matter. The ecclesiastics had successfully arrogated to themselves a most extensive jurisdiction in temporal affairs, of which the matters of both testate and intestate succession were a lucrative part. But the king's courts had opinions on some of these things too; and in the fourteenth century, if we take the *Regiam Majestatem* as a witness, they held, regarding the administration of an intestate's estate, that it belonged to his relatives (ii. 31). This principle, however, was clearly not admitted by the opposite party; and early in the fifteenth century—in 1420—the Bishops, Abbots and clergy of a Scots Provincial and General Council thought it well to re-affirm the position of the Church with unusual solemnity. They came to a unanimous declaration on oath that 'from so far back that there is no memory to the contrary, the bishops and those holding the jurisdiction of an ordinary had been wont to . . . appoint executors to those who die intestate' (Patrick, p. 81). The declaration extended to a good deal more; but it is to be noted that regarding the persons whom they appointed it said nothing.

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It is unnecessary to recall that Henryson's and Lindsay's satires on the ecclesiastical courts belong respectively to the second half of the fifteenth century and the first half of the sixteenth. In 1540 a significant Act¹ was passed by Parliament. It proceeds on a narrative that frequently in the cases of people dying at too early an age to make a will, the ordinaries (*i.e.* the bishops or those clothed with their authority) appoint stranger executors, who 'withdraw the goods from the kin and relatives who should have the same by law.' The Act ordains that in cases of such deaths the nearest of kin shall have the succession without prejudice, of course, to the quota due from the estate to the ordinary. The Act did not go beyond the provisions of the *Regiam Majestatem*, but it was ineffectual.

In 1549 the Church solemnly re-affirmed the right of the bishops and their commissaries to appoint such executors as they chose.² It was only after the lapse of ten more years—in 1559, when the whole fabric of church government was tottering to its fall—that the ecclesiastics gave way on the point and formally admitted the right of the next-of-kin.³ How far the bishops would have given effect to the statute we have no means of knowing, for next year came the crash. But that the abuses had not been removed before the Reformers came into power we know. One of the first matters to which the Assembly of 1560 attended was 'to desire the Estates of Parliament to take order with the confirmation of testaments, that pupils and orphans be not defrauded, and that laws be made thereupon in their favours.' It was probably in consequence of this request of the Assembly that the 'Instructionis gevin to the Commissaries of Edinburgh, Anno Domini [12 March] 1563' were issued,⁴ and the right of the next-of-kin established firmly and—if I am right—finally. It is in the 'Further Instructions' of 26th March 1567 that, so far as I am aware, the Procurator-Fiscal appears for the first time as a possible executor, dative:—'vi. Item, that everie inferior Commissar have ane Procurator-fiscal, quha sall be ane honest discreit man, and persew all common actiounis, and sall be decernit executour dative to all testamentis within the jurisdictionis quhair he servis, in cais the narrest of kin to the deid confirmis not the testament in dew time, and ilk Procuratour-Fiscal sal find caution that the gudes he sall happen to intromit with sall be furth cumand as effeiris . . .' The next and more detailed instructions belong to the next century—1610 and 1666.

A short note by Mr. W. A. Lindsay on another subject is given the place of honour. It records the recent discovery of a copy of a charter, dated about 1147-50, by William de Lindsay of a parcel of his demesne land in Molesworth, which was in the Earldom of Huntingdon. The charter appears to be applicable to the settlement of a question which Mr. Lindsay was obliged to leave open in his article on the Earls of Crawford in the *Scots Peerage*; and to show that William, the second named in the succession of the Scottish house of Lindsay, was the son and not the brother of Walter, who ranks as the first.

J. H. STEVENSON.

¹ 1540, Cap. 40.

² *Gen. Statutes*, 1549, Patrick, p. 116.

³ *Gen. Statutes*, 1559, Patrick, p. 178. ⁴ Balfour's *Practicks*, 654.

A HISTORY OF ENGLAND : THE TUDORS AND THE STUARTS, 1485-1688.
By Cyril E. Robinson. Pp. xii, 260. With 8 Maps. Crown 8vo.
London : Methuen & Co., Ltd. 1920.

THIS book carries out its aims of stirring interest, giving information and imprinting facts upon the reader's memory. It is a fair account of a difficult period. The writer gives every necessary fact, and sometimes, as in his account of Elizabethan literature, really awakes his reader's mind by hinting at unfolded treasures. He is especially good on the Armada and Charles II. The only thing we may point out is that sometimes he is so anxious to be fair to the Reformers that he is hardly fair to their opponents. We think, however, he sees Cromwell's Irish policy in its true light when he writes : ' Ireland was all to pieces, and stern treatment seemed the only possible course ; but Cromwell was more than stern. For once in his life he was abominably cruel.'

BELGIUM : THE MAKING OF A NATION. By H. Van der Linden, translated by Sibil Jane. Pp. 358. With 5 Maps. Post 8vo. Oxford : The Clarendon Press. 1920. 7s. 6d.

IN this work we have an excellent account of the inhabitants and different governments of the country which has now become the habitat of the Belgian nation. The first part—the Roman Conquest, the Franks and the invasion of the Germans—is easy enough to follow ; but the second portion—when the growth of the Flemish cities, gaining riches through wool and other wealth, vied with the power of the feudal lords—is a trifle confused. Again, the rise of the House of Burgundy would have been more easily elucidated had there been a tabular pedigree of the Dukes, showing their descents and how it led to the imperial, Spanish, and Austrian rulers. We learn, however, with interest that Belgium during the Spanish and Austrian rule retained more self-government and a more national spirit than is generally suspected, and this, after the Secession of 1598, was aided by the Catholic renaissance. The various deviations between autocracy and revolution until 1789 are well described, and also the various successes and failures of the French from 1792-1814. Then came the strange forced marriage between Belgium and Holland—an unnatural union—which ended in 1830 by the foundation of the kingdom of Belgium. This, though seemingly peaceful and not too glorious in its colonial rule, suddenly showed that it could become glorious as a European State when it defied Germany. Germany breaking a solemn treaty invaded Belgian territory—in the great world war ; and Belgium then manifested that it was indeed a true nation willing to defend its own boundaries. A. F. S.

RELIGION IN SCOTLAND, ITS INFLUENCE ON NATIONAL LIFE AND CHARACTER. The Chalmers Lecture, 1916-1920. By Henry F. Henderson, M.A., D.D. Pp. ii, 236. Demy 8vo. Paisley : Alex. Gardner. 1920. 7s. 6d.

THIS book arose from a Chalmers lecture, and is worth reading as an account of the writer's view of the welding of national character and religion

in Scotland. Naturally perhaps he unites the two wherever he can, attributing to religion the success of the Scot abroad and his excellent education at home. He has to fall back upon various sources—Sir David Lindsay, John Knox, Patrick Walker, Sir Walter Scott on the one hand and Dr. M'Crie on the other, that difficult source Robert Burns, and Robert Louis Stevenson, who in his wildest moments retained 'something of the Shorter Catechist.' He has done it well, for though he puts forward the foundation of Savings Banks and other philanthropic works as works of religion, and the excellent wide spirit of Carlyle of Inveresk, he does not forget the awfulness of the witch burnings. Perhaps, too, he might have said more of the tyranny of the Kirk Session, but, as the people acquiesced in it, it was probably part of the natural spirit of the time.

THE EARLY ENGLISH COTTON INDUSTRY, with some Unpublished Letters of Samuel Crompton. By George W. Daniels, with an Introductory Chapter by George Unwin. Pp. xxvii, 316. With 5 Illustrations. Crown 8vo. Manchester: University Press and Longmans, Green & Co. 1920.

THE introduction traces the cotton industry in Italy and the Low Countries, and prepares us for the trade which sprang up with the merchant adventurers in London, which after many vicissitudes centralised in the Lancashire cotton industry as far back as 1551. Mr. Daniels carries on the history of cotton manufacture in that country from the early times to that strange period 'the coming of machinery.' Then came the opposition to the latter, and later, the invention by Samuel Crompton (born in 1753) of the 'Mule,' which in 1779 revolutionised the industry. Letters of the inventor and accounts of his invention enrich this study.

THE EMPIRE'S WAR MEMORIAL AND A PROSPECT FOR A BRITISH IMPERIAL UNIVERSITY OF COMMERCE. By Ernest H. Taylor and I. B. Black, M.A., B.A. Large 8vo. Edinburgh: Macniven & Wallace. 1920.

THIS is an idea 'Made in Germany' while the joint authors were prisoners together at Rastatt in Baden. It began modestly as a 'Future Career Society,' and the authors have now put forth their enlarged scheme as a projected War Memorial for the Empire by the foundation of a Business University. Their aim is as follows: To intellectualise our great business communities and to produce a new business man and ambassador who will enter the competitive markets of the world fortified with the most up-to-date science of business and a new imperial and social point of view. To provide the youth of the Empire with a new idealism based on correct ideas of social and political responsibility. To create within our various business committees a more enlightened public opinion that will act and react on our politics, providing both a healthy criticism of policy and a stimulus to fresh progress. In this brochure they carry out the development of their idea in a very suggestive way.

BRITISH HISTORY CHRONOLOGICALLY ARRANGED, 55 B.C.-1919 A.D. By Arthur Hassall, M.A., Christ Church, Oxford. Pp. viii, 581. Post 8vo. London : Macmillan & Co. 1920. 20s. net.

EUROPEAN HISTORY CHRONOLOGICALLY ARRANGED, 476-1920 A.D. New Edition with additions. By Arthur Hassall, M.A. Pp. x, 439. Post 8vo. London : Macmillan & Co. 1920. 12s. net.

MR. HASSALL'S new volume on British History follows in method of arrangement the plan adopted in his well-known *Tables of European History*, of which a new edition has just been issued. The volumes are brought down to 1919.

Both books are invaluable to teachers and students. Not only do they bring together clearly an immense number of facts relating to historical events and personages in their chronological order, but they show what happened in other countries each year. Events which seem of great importance to one State often acquire a different value when contemporary events elsewhere can be compared with them ; and Mr. Hassall's volumes make easy the study of these comparative values and relations. In both books there are not only numerous genealogies and lists of sovereigns and of ministries, but also appendices and notes giving the dates of wars and invasions, and lists of great constitutional events.

We welcome these volumes very cordially.

EARLY RECORDS OF GILPIN COUNTY, COLORADO, 1859-1861. Edited by Thomas Maitland Marshall, University of Colorado (being Vol. II. of the University of Colorado Historical Collections, Mining Series, Vol. I.). Pp. xvi, 313. Demy 8vo. Boulder. 1920.

THERE is much of interest in this volume. It shows that when miners in great numbers began to penetrate the mountains they found it necessary to establish local government. What their conditions were, in the way of fighting a wintry climate with scanty supplies of food and of what are called the necessities of life, may be gathered from the very interesting records which were found in the vaults of the county clerks of Gilpin, Clear Creek and Boulder counties. But these difficulties were but incidents in the search for gold, which brought many thousand men to a country where a few weeks before 'the grizzly bear had held undisputed sway.'

It is curious to find how soon these pioneers recognised that they must organise a government and make laws. They did not wait for a constitution, but took matters into their own hands.

The volume now issued contains enactments made in Gilpin County relating, among other subjects, to mining claims, working, local officials and their duties and emoluments, trials, crimes and punishments. The variety of subject is endless, but naturally the larger portion deals with the definition, recording and working of claims. The book throws a curious and interesting light on a bypath of history.

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TRANSACTIONS OF THE FRANCO-SCOTTISH SOCIETY (Scottish Branch), 1914-18. Pp. iv, 148. 8vo. Office of the Society, 19 York Place, Edinburgh, 1920.

No sterilisation of the historical mind resulted from the War, which in matters Franco-Scottish was an active stimulant of research. The Annual Reports for 1914, 1915, 1916, and 1917 give a cheerful account of the Society's activities, which include an impressive new departure in the purchase of two MS. Rolls on vellum containing the household accounts of Mary Queen of Scots, 1550-1552. These have been laboriously deciphered and transcribed by Dr. Maitland Thomson, whose variety of service to our national history can hardly be sufficiently emphasised. The information those accounts furnish is mainly culinary, showing the provision of bread, wines, fish, poultry and eggs, fruit and firewood for the Royal Household of France. A very elaborate study of the history of Inchkeith—a most proper theme for the Franco-Scot to undertake—has been drawn up by Mr. A. Francis Steuart. 'Inchkeith and the French Occupation' fills sixty pages of solid extract from all the authorities, French, English and Scottish, from the fifteenth century down to the repulse of Paul Jones in 1779; and it may be implicitly accepted as an unmatched and trustworthy store of critical record reflecting circumstantially every phase of the island's eventful story. The great importance of the island-fort due to its outlying position of aloofness and command would seem to have been better appreciated by our French allies and our English enemy than by our own authorities. This implication emerges constantly from Mr. Steuart's sympathetic and spirited narrative. The islands of the Forth have attracted French writers before, for instance Mr. Louis Barbé, and this latest chapter greatly confirms the international interest of the whole group to which Inchkeith belongs.

Mr. Baird Smith edits a receipt dated 10th February, 1475[-76], for the wages of the Captain and Archers of the Scottish Guard. Several illustrations make these transactions more attractive, such as the pencil sketch of Leone Strozzi, prior of Capua, and especially the touching frontispiece of the French monument in honour of the 15th Scottish Division at Buzancy (Aug. 1918), with its heart-stirring and superb motto : *Ici fleurisa toujours le glorieux chardon d'Ecosse parmi les roses de France.*

THE CAPTIVITY AND DEATH OF EDWARD OF CARNARVON. By T. F. Tout. Cr. 8vo. Pp. 51.

REPRINTED from *The Bulletin of the John Rylands Library*, this essay is an admirable and fair-minded sifting of a very large body of evidence—chronicle, public muniment, gossip, judicial proceedings, state papers, each yielding its quota to the ultimate inferences—concerning the end of Edward II. and the true inwardness of Berkeley Castle. The story of the contemporary annalists has remarkably well undergone the ordeal of rigid examination. It is a trying story, and Professor Tout's revision of the entire case does not make it less harrowing. New points in the

evidence are the curious challenge of William Shalford in 1331 for his alleged complicity in—not exactly the murder, but in the steps leading up to the murder in 1327. The inference finally reached is that all the circumstances, and especially the after-histories of the captive king's custodians, point to Mortimer as the real criminal. One phrase in the essay (p. 21), to the effect that a certain policy was 'carried out with tenfold rigour than before,' is rather a startling liberty with the English language in an otherwise brilliantly written treatise.

AN OUTLINE ITINERARY OF KING HENRY THE FIRST. By William Farrer. Royal 8vo. Pp. ii, 183. London: Oxford University Press. 1920. 18s. net.

THIS is reprinted by permission of Messrs. Longmans, Green & Co. from the *English Historical Review*. In notices of its original appearance there, in two instalments, attention was directed (see *S.H.R.* xvii, 152) to the importance and standard value of a study so nearly exhaustive of the outlines of the career of Henry I. from 1100 until 1135. Parallel in method to that of Eyton's well-known work on Henry II. this Itinerary goes beyond its model in succinct yet widely diverse information, and will be found indispensable for the annals of a reign in which the effects of the Conquest revealed themselves in manifold changes and novelties in English administration. Upwards of 740 documents are arranged, for the most part absolutely but sometimes tentatively, according to their historical order or connection. The absence of subject-heads in the index is perhaps to be regretted, but the general student of the time will doubtless make his own list of such generalisations and commonplaces for his own lines of study.

Dr. Farrer's brief introduction sets forth the difficulties of the task of finding dates and places and occasions for so many documents of which so large a proportion are undated. He suggests as much to be desired 'a full chartulary giving the last and most complete text' of all the instruments now calendared. This may be a counsel of perfection; if not, its feasibility must be largely owing to the fine work the editor of the Itinerary has done in first driving a clear road through the forest.

SAGA-BOOK OF THE VIKING SOCIETY. Vol. IX. Part I. Pp. 252. With One Portrait. 8vo. London: Viking Society, 1920.

NOT every year, not once in a decade, is a society honoured by such a contribution as that which Sir Henry H. Howorth, now president, has made to its transactions, being the substance of two papers read by him when vice-president two years ago. It is a long study in 252 pages of the life of Harald Fairhair, founder by conquest and unification of the kingdom of Norway, towards A.D. 872. But its preliminary discussion of the misty prehistoric elements of the 'fylkies' or provinces of the peninsula before the unifying, and its sifting of traditions, sagas, chronicles and universal record, make up a most instructive and almost a garrulous talk all round the deepest and darkest sources of the Norwegian annals.

Perhaps no man living except Sir Henry could have put together so extraordinarily interesting an introductory section, at once narrative, criticism and citation, ranging from the remotest legends up to the authenticated facts of the ninth century, when the ambition of Gyda, unwilling to be wife to any one not king of all Norway, impelled a provincial kinglet to the career which extinguished a whole series of little folk-kingdoms, and made him as the Swedish King Olaf said 'the great king in the land.' And the story is a great one, diversified by constant touches of archaism, mound burial and ship burial, 'the figure of the crow,' the swords with names, the memories of Charlemagne and the Northmen, the queer ceremony of abdication by which a king came down to be a jarl, the *aula* as ceremonial forum, white horses as emblematic in state processions, the building of the Danewirk, the short-lived glory of Dorestadt as capital of Friesland, and the continual entrance into the sober story of some vow or eccentric custom or magic episode which it is a pity to rationalise. The venerable author has packed into his four hours' well-marshalled talk a magnificent summary of the beginnings of Norway.

FASTI ECCLESIAE SCOTICANAE. The Succession of Ministers in the Church of Scotland from the Reformation. By Hew Scott, D.D. New edition, revised and continued to the present time under the superintendence of a committee appointed by the General Assembly. Vol. III. Synod of Glasgow and Ayr. Pp. viii, 536. Large 8vo. Edinburgh : Oliver and Boyd. 1920. 25s. to subscribers.

THE Committee of the Church of Scotland is to be congratulated on having overcome the difficulties which have delayed the publication of this new volume in their large undertaking. It includes the Synod of Glasgow and Ayr, which embraces Renfrewshire and Dumbartonshire, and portions of Argyllshire, Lanarkshire and Stirlingshire.

This volume contains a large number of Quoad Sacra parishes as it deals with perhaps the most densely populated area in Scotland. Its pages are full of interest. In a work which contains many thousand names and dates it may be impossible to avoid occasional errors, but the impression which we receive from a careful perusal of many of the entries is one of great care taken in the collecting and arrangement of facts and dates. The sidelights which the entries throw on the history of Scotland are innumerable, and we are grateful to the promoters for having provided one of the most useful books of reference. It should be in every public library in Scotland, and in the principal libraries in the United Kingdom.

THE INFLUENCE OF MAN ON ANIMAL LIFE IN SCOTLAND. A Study in Faunal Evolution. By James Ritchie, M.A., D.Sc. Pp. xvi, 550, with 90 Illustrations and 8 Maps. Large 8vo. Cambridge : at the University Press. 1920. 28s. net.

THIS is a fascinating volume which merits the study of all naturalists and has also its interest for the historian. Beginning with animal life in Scotland when man first arrived here, we have an account of the red deer,

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the boar and the otter amongst other animals which then abounded, but there are no traces of domestic animals at that period. Later there are traces of sheep, oxen, dogs and, perhaps last of all amongst the larger animals, the horse. Then follows a study of classes of animals; and the change in type between, for instance, the wild ancestors of sheep and the modern Cheviot or black faced is both curious and interesting. In the same way the evolution of cattle, the horse and the smaller domestic animals is traced.

The permanent struggle between man and animals is fully dealt with. We are apt to forget that in some cases animals have been deliberately exterminated in order to secure the safety of man and his stock, while in other instances the stock has been enormously depleted to provide food or skins for man's use. On the other hand, the history of the way in which other animals have been protected and their growth encouraged, either for their use or for sport, is discussed at length. These are only a few of the points contained in this curious and delightful book. It is not within the sphere of this *Review* to consider the many scientific problems with which it deals, but for the light it throws upon the history of Scotland we cordially welcome it.

Professor Morison's disquisition on *Nationality and Common Sense* as a Queen's University *Bulletin* from Kingston, Canada, emphasises the limitations of nationalism and the necessity of sane restrictions. 'The whirlwind of national enthusiasm' must not be allowed to blow the roof off the world, which needs internationalism to keep it on. The League of Nations is viewed as a splendid and practical aspiration.

The Old Glasgow Club has just issued (one volume, demy 8vo, pp. 88, with two illustrations) its *Transactions for Session 1919-20*.

This issue contains papers by Lord Scott Dickson on 'The Covenanters and the General Assemblies of the Kirk held at Glasgow in 1610 and 1638'; on 'Bishop Jocelyn; or Glasgow in the Twelfth Century,' by the late Rev. James Primrose; and papers on Ballads; on the Burgh of Pollokshaws; and on the Holy Wells in and around Glasgow.

Excellent work has been done by many local associations in gathering together records of their own localities, and we wish all success to the Old Glasgow Club in the continuation of its work, which it has now been carrying on for twenty years.

A well-planned series of *Souvenirs of the 'Mayflower' Tercentenary*, edited by Rendel Harris (Manchester University Press: Longmans, Green & Co.) includes the following: (1) 'The Documents concerning the appraisement of the Mayflower' in May 1624, when the said ship was *in ruinis*—words which are perhaps more safely interpreted 'dismantled' than understood as 'broken up'; (2) 'Refusal of the Leyden Authorities to expel the Pilgrims'—the date of which the editor has not thought fit to indicate; (3) 'The Marriage Certificate of William Bradford and Dorothy May'—Bradford being subsequently the famous governor of Plymouth; (4) 'The Plymouth Copy of the first Charter of Virginia,' dated April 10, 1606—from the archives of the English town. Numbers 1 and 2 are

priced at 9d. net each, No. 3 at 6d. and No. 4 at 1s. Each consists of a reproduction in reduced facsimile accompanied by an accurate transliteration. Professor Harris has also written an attractive essay 'The Finding of the 'Mayflower'' (same publishers, price 4s. 6d. net) in which he submits a very tenuous (though not quite impossible) argument for identifying the timbers of the historic ship in those of an old schooner built into a barn at Jordans Hostel, Seer Green Halt, Bucks.

The papers of Mr. Westropp in the current volume of the *Proceedings of the Royal Irish Academy* (vol. xxxv. section C, Nos. 10-11), on some forts and other remarkable places connected with the ancient gods and the great assemblies of the tribes in the county of Limerick, are learned studies in pagan mythology characteristic of the author. The careful investigation by the Earl of Kerry on 'The Lansdowne Maps of the Down Survey' (No. 12) is a very useful contribution and indispensable to the student of the topographical history of Irish counties. The earl points out the origin of the name of the Survey of 1654, which has no special affinity to the county of Down, as an unsophisticated non-Irishman might easily imagine. It was Sir William Petty who first proposed to measure the whole country 'by instrument' and to set it 'down' upon paper. The undertaking was referred to at the time as the 'down' survey, a description by which it has been known ever since. In 1810 the Irish Records Commission reported on the Survey and on such maps as were then known to be in existence. But in recent years a large collection of maps of the same Survey was discovered in an old chest at Lansdowne House, whose noble owner is a lineal descendant of Sir William Petty. These maps have been cleaned and mounted, identified by the Earl of Kerry and set out in a catalogue under counties for easy reference. The whole contribution is very praiseworthy.

The English Historical Review for October opens with Dr. Round's subtle and diversified examination of the office of Sheriff in Norfolk, with many illuminating facts on castles, castle-guard and *castellaria*, not the least curious of which is the tendency for a sheriff to take a new surname from his castle. Mr. E. R. Adair searches out the distinctive features of the galley in the English service in the sixteenth century, till the superior fitness of Elizabethan sail-craft under Drake and his successors was established and the Mediterranean oar-driven type disappeared from the English Navy. Miss F. Evans usefully schedules the salaries of the seventeenth century secretaries of state, and Mr. G. N. Clark analyses and describes the Dutch missions to England in 1689. The advent of William III. had made a firm understanding necessary, and as the outcome of the negotiations was almost a unification of sea powers by which England considerably profited, the four conventions constituting a treaty of offensive and defensive alliance deserve the investigation Mr. Clark has devoted to them. Documents printed by various contributors include charters to boroughs near the Welsh border in 1256, papers on Wycliffe's canonry, letters of 1469-1471 to Oxford University, and political correspondence manifesting the honesty of Wellington's action as ambassador at Verona in 1822.

The announcement now made that Mr. Reginald L. Poole has retired from the editorship will be received with widespread regret in the circles of history. In his hands, in part from 1895 until 1901 and in sole charge from 1901 until now, the *Review* has maintained a foremost place among the historical journals of the world. Comparisons are sometimes difficult as well as odious, but there can be neither impropriety nor ungraciousness towards other periodicals in repeating the opinion implied in many criticisms in these columns, that Mr. Poole had made and kept for his review the premier position. His release from an office of such laborious responsibility will it is to be hoped give him the more leisure and opportunity for his personal specialities of medieval study. There is happily therefore no need for the accent of farewell. As for Mr. Clark his welcome is assured, and we can only wish him a continued success for the magazine commensurate with its past.

History for July last opens with a paper by Dr. W. H. R. Rivers on 'History and Ethnology,' in which the present tendency to give more attention to institutions and ideas and less to details of transactions between individuals and nations is pointed out. The application, however, by Dr. Rivers's imaginary Melanesian visitor to these islands of the terms *Whiskey people* to typify the early Celtic element, *Beer people* the Anglo-Saxon, and *Wine people* the Norman, gives grounds for comments unfavourable to the swarthy scientist's powers of analysis. At all events, before generalizing it would be well for him to throw aside his horror of literary sources so far as to consult a paper by the late Dr. Joseph Robertson on 'The Use of Wine among the Lower Orders in Scotland (especially the Western Hebrides) in the Seventeenth Century' (*Proceedings of the Society of Antiquaries of Scotland*, iii. 424). At that time wine had been, and was, the staple and somewhat unlimited drink of the western islesmen, and indeed of Scotland generally. In 1616 and again in 1622 the Privy Council prohibited first its use and afterwards its importation and sale in the isles. Written records cannot be ignored. Machiavelli as political thinker is criticised by Mr. Edward Armstrong, who inclines to look upon him as creator of modern Italian prose rather than as philosophical writer. 'Historical Revisions' include 'The Petition of Right' by E. R. Adair and 'The Balance of Power' by Prof. A. F. Pollard, who points out the danger of using as a guiding principle of thought and action a phrase which, owing to an entire change of affairs, has ceased to connote the ideas of its original framers. There are the usual reviews of books. J. E.

In *History* for October Mr. Norman Baynes admirably surveys recent books on Roman History. He commends Ferrero but deprecates his tendency to imperial biography as the essential method of imperial history. Also he commends Donald McFadyen's recent treatise (Chicago 1920) on the 'History of the title Imperator.' Mr. Geoffrey Callender discussing the evolution of early Tudor sea-power illustrates the enormous change made by adapting artillery to ships. Professor Stenton re-surveys the episode of 'the Danes in England,' tracing the effects of the settlements in the Danelaw in the matter of tenure and place-names, but not bringing much novel light otherwise.

The American Historical Review for October celebrates its semi-jubilee and the editor, Prof. Franklin Jameson, is well warranted in characterising the twenty five volumes produced since 1895 as being 'at least an impressive monument to one generation of historical workers in America.' Salutations of goodwill and good wishes are heartily tendered to the editor and management. The *Review* has made itself invaluable and its interest can be very little less to readers in Great Britain than to Americans. Attention on this side will rightly be given in the present number to Sidney B. Fay's article entitled 'New Light on the Origins of the World War,' for it seems to demonstrate by recently recovered documents of first class authority that in the last fateful hours preceding the declaration of war by Germany it was Austria and not Germany which was the obstinate power. Now that the trial of the Kaiser has apparently been expunged from the programme of the Allies, the new body of evidence tending to lessen his responsibility (coming as it does from an American critic using the latest German publications), may perhaps have a less reluctant reception in the courts of history than would have been accorded a couple of years ago.

Robert Schuyler, under the rhetorical title 'The Recall of the Legions,' discusses the fluctuations in British colonial policy between 1776 and 1784, but possibly his limits of space have prevented his making handsomer allowance for the imperfections of political vision. Frederic Paxson, under the heading 'The American War Government 1917-1918,' describes the constitutional machinery and expedients resorted to in the crisis of the struggle. He styles the activities of that time an attempt to pass 'from the doctrine of individualism and free competition to one of centralised national co-operation,' a system symbolised in the phrase 'work or fight.'

In the number of the *Revue Historique* for March-April, M. S. Reinach presents an interesting hypothesis as to the presence of Buddhist elements in the legend of St. Francis of Assisi. The most important contribution is the first instalment of a study of Pierre du Chastel by M. Roger Doucet, in which the writer presents a well-balanced estimate of the rôle played by that courtier-humanist in the inner circle of the Court of Francis I. The number for May-June contains the remainder of M. Doucet's study and a further instalment of M. Halphen's critical commentary on the history of Charlemagne. The reader is sometimes tempted to question the expediency of publishing by instalments an elaborate critical study like that of M. Halphen, but a justification is probably to be found in the prohibitory expense of independent publication. The two numbers contain the usual valuable summaries of contemporary historical studies, the periods covered being French history from 1494 to 1660, Swedish history, and Christian antiquities.

The most interesting items in the *French Quarterly* for June are found in the *Variétés*, in which M. Rudler deals with 'L'Angleterre et Jeanne d'Arc,' M. Charlier with a 'source' of Chateaubriand, and M. Maingard with Leconte de Lisle.

The *Revue Historique* for July-August contains the first instalment of a study by M. Boissonade of the commercial relations between France and the British Isles in the Sixteenth Century, and an account of the unfortunate

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British expedition to Buenos Ayres in 1807. Both writers make use of well-known sources, and their conclusions present no novelty. A summary of the publications of the past eight years on the history of Italy from 1789 to 1920 is provided by M. Bourgin. The first volume of the new edition of *S. Theresa's Letters in English* by the Benedictines of Stanbrook receives a critical notice from M. Morel Fatio, and M. Albert Waddington writes with enthusiasm of the new life of 'William the Silent' by the distinguished Dutch historian, P. J. Blok. The announcement is made of the continuation of Lavissee's standard *History of France* to the conclusion of the late war. The concluding volume has been entrusted to MM. Bidou and Gauvin, two well-known publicists.

D. B. S.

Students of Church History will welcome the re-appearance of the admirable *Revue d'Histoire ecclésiastique*, a worthy mirror of the learning of Louvain. It rises like the phoenix from the ashes and the current number is a reconstruction from MSS. and 'proofs' of the number for July, 1914, which perished in the conflagration of that year. For English readers the most important article is that by Pere Martin, O.P., on *L'œuvre théologique de Robert de Melau* (†1167), in which the learned Dominican furnishes an interesting addition to our knowledge of the subject. Since Mr. Kingsford's article appeared in the *Dictionary of National Biography* in 1896, Robert has been dealt with by Grabmann, Anders and P. Martin himself. The article is based on a careful examination of MSS. hitherto unidentified and the author indicates the important conclusions which may be drawn from the MSS. in the British Museum. He assigns an important role to Robert in the history of theological speculation and, while recognising the debt which he owed to Hugh of Saint Victor, he concludes that '*son œuvre présente des caractères particuliers et surpasse à plus d'un titre les travaux des maîtres antérieurs.*' These include Peter Lombard, as P. Martin assigns Robert's writings to the years 1152-1160. Robert has been generally classed as a realist, though Hauréau had doubts on the subject, but P. Martin takes the view that he belonged to no school and that he founded none. Now that it is evident that the principal sources for a study of this distinguished English theologian are to be found in London and Oxford, it is to be hoped that an English scholar will undertake the task of producing an edition of his *Sentences*.

D. B. S.

In the *Archivum Franciscanum Historicum* for January-April, 1920 (xiii. Fasc. 1 and 2) Father André Callebaut supplements his previous study of the nationality of Joannes Duns Scotus. The late character of the tradition in favour of his Irish origin is proved, and the fifteenth century testimony to his Scottish birth established by numerous quotations from philosophers of that century, all agreeing upon his nationality. For example, in a warm panegyric at Paris in 1448 Dr. William Forilong, who died at Rome in 1464, speaks of Duns Scotus thus: *O doctor subtilis Joannes dictus de Donis . . . te primitus Scotia genuit . . . O germen ergo Scotie, O Anglie scientia, O Francie subtilitas, sed O Colonie requies.* Again, a manuscript in

Bale of date 1442 calls him *Joannes de Scotia*. After giving numerous quotations of a similar character Father Callebaut proceeds to prove from the Papal archives that in the twelfth, thirteenth and fourteenth centuries *Scoti* meant Scots, and *Scotia* Scotland.

The question whether the Irish origin receives any support from the philosopher's writings is next answered in decisive fashion. It is shown that the reference to S. Patrick claimed as having been made by him in his lectures is due to a tampering with the original, the words *Sancti Arnoldi* (a continental saint) having been silently suppressed and *S. Patritii* substituted in 1503 by Maurice-du-Port, an Irishman. Lastly, there is added the testimony of a manuscript preserved in Paris of the early fourteenth century and therefore contemporary. Here he is called *Magister Johannes de Scotia, Ord. Fr. Min.* The two editors—Father Denifle and Monsieur Chatelain—point out that at that time Scotsmen flocked to Paris in great numbers as war had closed the English universities to them. Father Callebaut has discovered another Scot from Duns some years later graduating at the University there. He is *Thomas de Duns Scotus*. His date is 1349.

Thus the nationality of Joannes Duns Scotus is firmly established, and John Major's statement, which is not, but might have been adduced, is proved to be correct. It may be noted that the renaissance and the Reformation changed the angle from which scholastic philosophy was viewed, and Scotsmen became the reverse of keen to claim as a countryman one of the acknowledged leaders of scholastic thought and methods. Hence the pretensions of the other claimants—England and Ireland—were allowed to pass unchallenged, and those of the latter country especially made headway.

At the end of his paper Father Callebaut designates Duns, the philosopher's native town, as *village du comté Berwich (sic)*, and allows the river Tweed to figure as the *Twée*; but these slight blemishes detract little from the force of a closely-knit, well-documented and convincing argument.

JOHN EDWARDS.

Notes and Communications

A CURIOUS WORD FOR GREAT-NEPHEW (*S.H.R.* xviii. 65). 'Eiroy' is the English form of Gaelic *iarogha*, great-grandson. 'V^croy' is probably in error for 'v^coy' = vicoy = Gaelic *mhic-ogha*; in which connexion cf. *mac-mic*, grandson. A. W. JOHNSTON.

Mr. William Angus of H.M. Register House, Edinburgh, states that the word is by no means uncommon. Burns uses it in his Dedication to Gavin Hamilton, and it is entered in Jamieson's *Dictionary* under 'Ier-oe.' It is also to be found in Johnston of Wariston's *Diary* (Scottish History Society), vol. ii. p. 96, and in Habakkuk Bisset's *Rolment of Courtis* (Scottish Text Society), vol. i. page 62, line 28.

The Duke of Argyll states that only once has he found it used in Highland charters, and that was in the Writ of 1609 referred to in *S.H.R.* xviii. page 65.

THE DALKEITH PORTRAIT OF MARY QUEEN OF SCOTS (*S.H.R.* xviii. 32). All who are interested in the portraiture of Mary Queen of Scots will have welcomed Miss Steuart's article on the Dalkeith portrait and the reproduction of the portrait itself. Not all, however, will find themselves able to agree with her conclusions.

Miss Steuart compares the portrait with the well-known chalk drawing generally attributed to Clouet and preserved in the Bibliothèque Nationale, Paris. It is true that the ropes of pearls are found in both and somewhat similarly arranged. The Clouet portrait is known to be dated between 1559 and 1561 when the Queen, then Dauphine, was aged 17 to 19. If Miss Steuart merely urged a general resemblance between the features in the Clouet and the Dalkeith portraits, it might not be easy to counter her view, but she goes further and dates the Dalkeith portrait as belonging to the same period as the Clouet sketch. I find it impossible to agree with Miss Steuart that the Dalkeith portrait represents a woman of approximately the same age as the Clouet portrait or that it could possibly be that of a girl of 19. I regard the Dalkeith portrait as that of a woman aged not less than 25 and not more than 30. On what further grounds does Miss Steuart base her case?

First, on the *carcan* composed of diamonds with *entredoux* of pearls, one of which was given back to the Crown of France before Mary returned to Scotland, because the *carcan* shown in the portrait and also the one restored to the French Crown Jewels both possess pearls set in clusters of five. This is not a very convincing identification.

The Dalkeith Portrait of Queen Mary 153

Second, on the cross with seven diamonds which may have been similarly restored to the French Crown Jewels; but Miss Steuart admits that she cannot identify this cross precisely. It is just this cross and its position which afford some ground for doubt. If one examines all the authentic portraits reproduced by Mr. Lionel Cust in his book *Authentic Portraits of Mary Queen of Scots 1903*, one observes: (1) that no portrait appears to show a cross, but most show a crucifix; (2) that in no portrait is the crucifix shown hanging round the neck, but generally suspended so as almost to reach the waist.

Unfortunately, however, the case for the genuineness of the Dalkeith portrait breaks down completely in another way. If it is compared with the celebrated 'Carleton' portrait in the collection of the Duke of Devonshire at Chatsworth, which portrait is quite unreservedly and quite properly condemned by Cust, it will be at once apparent that the Dalkeith portrait strongly resembles the Carleton type. The features may be described as identical; the ropes of pearls are present in both, though not exactly in the same position; the position of both arms is identical; in both pictures the left hand holds a very similar rose (which incidentally is not in any other portrait); the costume is admittedly different. Cust gives (p. 133-136) a full account of the history of this 'impostor' portrait which is first heard of in 1713. Of the Dalkeith portrait it is known that it was at Dalkeith about two centuries ago. Neither of the two portraits can trace its pedigree with any certainty before 1700. Sir Lionel Cust sums up against the Carleton portrait as being one not even intended to represent Mary. Probably the same is true of the Dalkeith portrait, and I suspect that the reason why no reference to it is made by the late Sir George Scharf or Mr. Cust is that they both recognised it as a mere copy of the Carleton type.

But the main case against the Dalkeith portrait rests not on comparisons but on the picture itself. The features are wrong. The Queen, as shown by authentic portraits, had long narrow eyes, a thin nose, and thin lips and arched eyebrows: none of these characteristics are found in the Dalkeith portrait. Moreover, the costume is wrong. If the ruff round her neck is compared with other ruffs in XVI century pictures, it will be found that it is too broad for 1560: it would not be earlier than 1576. The head-dress also does not resemble any of so early a period. It is not easy to judge of the technique of the picture from the reproduction. Detailed examination of the original picture would probably reveal other anachronisms.

It would be a much pleasanter task to welcome a new and authentic portrait than to destroy an ideal, but sometimes the latter must be done.

WALTER SETON.

University College, London.

MACBETH or MACHETH (*S.H.R.* xvii. 155, 338), has been propounded as a problem by Professor Sanford Terry for which he awaits a satisfactory explanation as to what MacBeth is 'doing in this otherwise exclusive gallery of MacHeth rulers' in the province of Moray.

The MacBeth-MacHeth riddle emerges at or rather after King MacBeth's time. It is a veritable labyrinth without a thread till one goes far enough back. Beth in variant form but not Heth is the original root name and still is the essential and distinguishing part of MacBeth. Working forward one comes gradually to the compound MacBeth, with a small *b* of course. Moderns are mostly responsible for the capital in the middle of the name, and it tends to prevent confusion. To my thinking the MacHeths are MacBeths by indirect descent, and I support my conclusion by the following facts. Reference is made to

- King Macbeth mac finlay (Mar. Scot. c. 1028).
 „ Malbeth or Maelbeathe (Ang. Sax. Chr. under date 1031-1054).
 „ Macbethad (Flor. of Wor. c. 1118).
 „ Machethad (S. of D. c. 1129).
 „ Macbeth (D of M. c. 1142).
 „ Machetad (R. of Hov. c. 1201).
 „ Macheth (John of Eversⁿ c. 1265).
 „ Macbet and Macbeth (*Chron. of Melrose*).

Then in the charters by which the same king conveys gifts to the Keledei of Lochleven *h* and *b* are twice found in juxtaposition thus—Machbet—but in the middle of the charter Makbeth is found and that plainly determines what the other two are.

Take another instance from the charters. It concerns a MacBeth, Judex or Sheriff, and his designation gives the following result, in favour of MacBeth :

Maledoun, son of MacBead, c. 1128
 Maldouen and Maldoueni, son of Macobeth
 Meldoinneth filium Machedath.

At that same period there is another Macbeth, Thane of Falkland, who may be the father of this Maldouen as well as of Cormac 'a son of Macbeath' who is mentioned in Ethelred's charter to the Keledei. Whether that be so or not, it is clear that Machedath is a MacBeth. The same result comes out in the undernoted example :

Macbeth Macktorphin, c. 1150
 Macbeth Mactorpin
 Macbet „
 Machet „

Baron Macbeth of Liberton lived at this period and may be the above-mentioned man, but if not, he has his name spelled in variant form, as

Macbet, c. 1141-52
 Macbether
 Macbetber
 Macbead
 Malbead
 Makbet
 Malbet

In the Signet Library one had occasion to verify the Latin facsimile of Macbetber. That is the correct transliteration, but the editor changes it into Macbet Vere. One can easily see how another could make it Macbether, for the letters b and h are almost alike, but there is no doubt that Macbeth is intended.

Then as to Malcolm MacBeth. According to J. Stevenson's translation of the *Chron. of Holyrood* under date 1157 Malcolm's name is given as Malcolm Machel—a son of fire truly. Of course if the Macheths can be changed into MacKays they may be 'sons of fire,' but they have a better heritage among the Macbeths, their real kindred. In the footnote to the same editor's translation of the *Chron. of Melrose* under date 1134, Malcolm is referred to as 'the son of Macbeth.' Further, in the abbreviated edition of the *Chron. of Holyrood* under date 1157 one finds *Malcolm Machet cum rege Scottorum pacificatus est*, but according to Mr. A. O. Anderson he is also called Macbeth in Bouterwek's edition of the same extended Chronicle (38), and it is by the same authority we are told that Malcolm Macbeth died Earl of Ross 1168 (42). The Fraser Chronicles also support the reading Milcolm Mackbeth and likewise refer to Donald son of Melcolm Mckbeth.

Reviewing these lists where MacBeth and MacHeth are combined, it surely becomes manifest that b and h have simply been confused by similarity of writing in the past. Even now if any one writes Macbeth frequently with a small b he will soon find a possible Macheth unless he be careful with his pen.

JOHN MACBETH, B.D.

Newton Manse, Dalkeith.

MACBETH, MACHETH (*S.H.R.* xvii. 155, 338). These two names may be two Latin (English) renderings of the same Gaelic name M'Bheatha, 'Son of Life,' a *personal* name originally, not patronymic. MacKay is the English form of Gaelic M'Aoidh, from Aoidh, fire. (See Macbain's *Gaelic Dictionary*.) In support of the above suggestion may be quoted Lawrie's *Early Scottish Charters*. Maledoun is referred to as Macocbeth (p. 63, 1128), Machedath (p. 67, 1128), MacBead (p. 78, 1131-1132). MacTurfin is mentioned as Macbet (p. 120, 1143), Machet (p. 166, 1150), and Macbeth (171, 195, 1150). The Gaelic name M'Bheatha was thus rendered in Latin (and English) as MacBeth and MacHeth, one letter of the aspirate B (B H) being used in each case.

A. W. JOHNSTON.

29 Ashburnham Mansions, Chelsea, S.W.

QUEEN MARGARET TUDOR. Sir Bruce Seton, in his paper 'The Distaff Side' (*Scottish Historical Review*, xvii. pp. 284-5), says that Queen Margaret obtained in 1527 a separation 'a mensa et thoro' from her second husband the Earl of Angus, and then, 'although such a separation did not permit a fresh marriage,' immediately married Henry Stewart, afterwards Lord Methven. Riddell says (*Inquiry into the Law and Practice in Scottish Peerages*, i p. 470) that the Queen's marriage with Angus was dis-

solved by the Consistorial Court of St. Andrews in 1525. 'It was upon the valid ground of a precontract between him and another lady' ('a daughter of Tracquair,' says Hume of Godscroft, by whom he had a daughter Jean Douglas, who did not become legitimate, but who married Patrick Lord Ruthven). He says earlier (pp. 420 *et seq.*): 'They were accordingly divorced simpliciter; yet, at the same time, owing to the exclusive exception of the Queen's *ignorance* of the latter circumstance, and hence *bona fides* on her part, there was a special finding of the legitimacy of Lady Margaret Douglas, their sole issue.' It seems, however, that the St. Andrews proceedings were not final as the ultimate decree of divorcement was pronounced 11th March, 1527-8 (Fraser, *The Douglas Book*, ii. 212, where the year is given as 1528), after three years proceedings by Peter Cardinal of Ancona, the Judge appointed to enquire into the matter by Pope Clement VII. Without waiting for this news (the dates are very complex and are stated differently by different authorities) the Queen married Henry Stewart. Her brother Henry VIII. wrote, by Wolsey, to her later of the 'shameless sentence sent from Rome' and, reminding her of 'the divine ordinance of inseparable matrimony first instituted in Paradise,' bade her avoid 'the inevitable damnation threatened against advouters. (A. H. Pollard *Henry VIII.* pp. 209-210).

A. FRANCIS STEUART.

DUNDRENNAN ABBEY (*S.H.R.* xviii. 57). Owing to a typist's error a few words were omitted in the review of Learmonth's *Kirkcudbrightshire*. The passage should have read, 'Dundrennan, the parent abbey of Sweetheart Abbey, founded by Devorgilla Balliol.'

A CORPUS OF RUNIC INSCRIPTIONS. Professor Baldwin Brown and Mr. Bruce Dickins, writing from the University of Edinburgh, request us to ask that readers of this *Review* will kindly bring under their notice any newly discovered runic inscription and any example which they are not likely to know. Runically inscribed objects contained in the larger and better known public collections or which are published in archaeological works of national scope Professor Baldwin Brown will already have on his list; but as regards those in private hands or in local collections of the smaller type he will be very glad of information, as he and his colleague are preparing for publication by the Cambridge University Press an Annotated Corpus of Runic Inscriptions in Great Britain, on or in stone, bone, wood or metal.

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On 'Parliament' and 'General Council'

PROFESSOR RAIT has examined in this *Review* the *personnel* of our national assemblies. Dr. Neilson, in his introduction to the *Acta Dominorum Concilii*, vol. ii., recently published by the Record authorities, has done much to discourage historians who are content to repeat the statement that the Court of Session was founded on the model of the Parlement of Paris, or, at all events, to convince them that a great deal more remains to be said. It is now becoming clear that the development of our courts and assemblies will gradually assume an intelligible form in response to patient study. The field is large; the work intricate and toilsome. The present brief inquiry,¹ obviously partial and tentative, may serve to suggest a line of investigation which is somewhat new, and which in the end may prove interesting even to those who are not mainly devoted to Scottish history.

Thomas Thomson did not complete the first, and final, volume of his *Acts of Parliament*. Cosmo Innes issued it in 1844, without 'the benefit of Mr. Thomson's advice,'² and prefixed 'a list of Parliaments and General Councils.' No attempt was made, however, to distinguish the two assemblies, or to explain a difference of denomination which might have aroused curiosity.

¹ The following notes are intended to be no more than an indication of one or two of the many problems connected with Scottish institutions which require attention.

² *A.P.* i. 58.

S.H.R. VOL. XVIII.

The *Modus tenendi parliamentum* opens with the remark that *summonitio parliamenti praecedere debet primum diem parliamenti per quadraginta dies*. Robert I., in granting the Isle of Man to Randolph, requires *personalem appresentationem ad parlamenta nostra . . . infra regnum nostrum tenenda per rationabiles quadraginta dierum summonitiones*.¹ David II. held a *consilium* of the three estates at Scone in 1357,² little more than a month after his liberation. Hailes and others wrongly describe this as a 'parliament.' There was already some difference as between 'parliament' and 'council' in the formalities of summons. In 1363 the assembled *prelati* and *proceres* undertook to meet, on the return of ambassadors from England, in response to royal letters *sub quocunque sigillo* and to treat *ac si essent per quadraginta dies ad parlamentum citati legitime, excepcionem aut excusacionem aliquam de temporis brevitatem vel alias non facturi*.³

Parliamentum had special competence. It was necessary, for instance, in order to pronounce the final sentence in appeal by falsing of dooms. In 1368 we hear that *omnes processus facti super iudiciis contradictis quorum discussio et determinatio ad parlamentum pertinent presententur cancellario ante parlamentum proximum tenendum*; and on the same occasion a doom from the justice-court of Dundee was under consideration. It was urged that the said court *precesserat hoc parlamentum tantum per quatuordecim dies*, whereas *ipsi* (the protesters) *a tempore justiciarie tente habere deberent ad hoc quadraginta dierum spacium ipso jure*. The day was found not *legitimus*; and the parties were referred *ad parlamentum proximum*.⁴ In 1368 the king sits in full state *pro tribunali* on dooms (*iudicia contradicta*); but, as it is Lent and the custom of the realm forbids such sentences during that season, decision is postponed *usque proximum parlamentum*.⁵ In 1503, it may be noted, an act anent falsing of dooms provided that the king should depute thirty or forty persons with power 'as it war in ane parliament,' the court to be set on forty days.⁶

The supreme court of 'parliament' necessarily conformed to courts below in respect of notice. In the *Assise Willelmi*⁷ we find (*de placitis justiciarii et vicecomitis*) that every sheriff *ad caput quadraginta dierum . . . placita sua tenebit*: that the justiciar could not hold *placita corone* within a sheriffdom *nisi ad caput quadraginta dierum*; and that *secundum assisam regni*

¹ R.M.S. i. app. i. 32.

² A.P. i. 491.

³ Ibid. 493.

⁴ Ibid. 504-5.

⁵ Ibid. 507.

⁶ Ibid. ii. 246.

⁷ Ibid. i. 377.

reus juste debet habere diem ad caput quadraginta dierum ad minus. Similarly, in the *Modus procedendi in itinere justiciarie*¹ we find that ‘betuix the dittay and the air of reson sulde be xl days at the personis mycht be arrestit lauchfully ande breves mycht be purchest ande summondis maide in lauchfull tyme’: again,² *probenur citaciones huiusmodi fuisse legittime facte et per spacium quadraginta dierum ad minus, aliter non valent.* The rule is illustrated by abbreviations in exceptional cases under James I. and James II.³

The earlier records do not seem to throw much additional light on the special competence of ‘parliamentum.’ Upon its general function as a supreme court one need not dwell; but it may be interesting to observe in 1398 ‘that ilke yhere the kyng sal halde a parlement swa that his subiectis be servit of the law,’⁴ and that so late as 1452 the regality court of St. Andrews, granted to Bishop Kennedy, is styled *parliamentum solitum et consuetum*.⁵ In 1369 *parlamentum* dealt with *ea que concernunt communem justiciam, videlicet judicia contradicta, questiones et querelas alias que debeant per parlamentum terminari*:⁶ in 1368 it was found that certain parties should not be heard in ‘parliament,’ *quod ambe partes sunt ad communem legem ad proseguendum et defendendum in curiis aliis secundum ordinem et formam juris*.⁷ A century later, in 1473, two persons are ‘to declare the daily materis that cummys befor the kyngis hienes that as yit thare is na law for the decisioun of thame,’ and to report to next ‘parliament’ for ratification and approval.⁸ In 1433 we find a breve of ‘miln leidis’ which is to have course till ‘the next parliament.’⁹

It is at a later stage that we find definite indication of the function of ‘parliament’ in respect of treason. In 1515 John, Lord Drummond, was suspected of correspondence with England. He appeared at the Council, July 11, on the eve of a Parliament, July 12, and, ‘for the conservatioun of the privelege of the barounis of Scotland and of him,’ declined to answer before the Lyon King, but was prepared to do so ‘befor his competent juge and at place convenient.’ The king’s advocate took instrument ‘that the lord Drummond refusit the xl dais of

¹ *Ibid.* 705.

³ *Ibid.* ii. 23, 6; 32a, 2; 35a.

⁵ *Ibid.* ii. 74.

⁷ *Ibid.* 505.

⁹ *Ibid.* 22; cf. Pollard, *Evolution of Parliament*, p. 39.

² *Ibid.* 708.

⁴ *Ibid.* i. 573.

⁶ *Ibid.* i. 507-8; cf. 534, 547.

⁸ *Ibid.* ii. 105.

privelege that all lordis and barounis aucht to have be the law to ansuer apoun tresoun and was content to underlie the law for the crymes imput to him in this present parliament without ony exceptioun, he gettand ane assis of condigne persons.' Whereupon Arran asked instrument 'in name of al my lordis and barounis temporale that albeit my lord Drummond was content to underlie the law incontinent for the tresoun imput to him and refusit the privelege of xl days granted to barounis in sic caisis that the samin suld turne thaim to na preiudice quhen sic thingis suld happin to ony of thame.¹ In 1517 'parliament' was called on forty days by precepts of Chancery, with summonses of treason 'apon the personis dilatit of the slauchter of lord la Bastie,' and for any other cases of treason.² A few years later the period of notice is expressly stated to be customary. On March 13 'parliament' was set for July 24 'upoun the premunitioun of xl dais, as us is and efferis theruntill'; but proclamation was not to be made till forty-five days before the appointed date.³ The Clerk Register and the Justice Clerk, writing in 1559, distinguish two forms of process in treason, (1) before the King in 'parliament,' and (2) before the Justice General and an assise, unfortunately without explaining the principle of application; but they add that condemnation in the latter court has the same force as if it had been in 'parliament.'⁴

There was a curious incident in 1514, involving, apparently, no case of treason. On September 21 the Council proposed a 'parliament' at Edinburgh for November 17. Queen Margaret and the Douglas faction projected a 'parliament' at Perth. The director of Chancery had the necessary quarter-seal, and supported Margaret. On October 23 he was ordered by the Council to produce the seal, that precepts might be directed to 'all personis at aw presens in the parliament'; otherwise the lords would command a new engraving. On October 26 the Council ordained precepts to be delivered on October 28—a clear twenty days before the meeting.⁵ This is interesting, because Sir Geo. Mackenzie in his *Institutions* says that 'conventions' of the estates in his time were called on twenty days;⁶ and the 'convention' has a continuity with the older 'general council.' Loss of the record conceals the technical term entered

¹ *Act. Dom. Con.* (MS.), July 11, 1515.

² *Ibid.* Sept. 28, 1517.

³ *Ibid.* March 13, 1524-5.

⁴ *Discours d'Escosse*, Ban. Club, 18 ff.

⁵ *A.D.C.* Sept. 18, Oct. 23-26, 1514.

⁶ Cf. Robertson, *Statuta*, i. 143 n.

in 1514. ‘Parliament’ may have been used on the plea of force and fraud, or on the strength of public opinion; but a sentence on treason or on a doom would have been questionable. Possibly notice of twenty days was held sufficient for the main purpose of declaring Margaret no longer tutrix: ‘general council’ was competent in 1388 to make Fife guardian, and in 1398 to appoint Rothesay lieutenant.¹

Towards the close of the sixteenth century the history and status of ‘general council,’ for reasons which will soon appear, puzzled even the Clerk Register. In 1587, on the practical question of printing the Acts of Parliament, he inquired: ‘In the actis alreddy imprentit thair is sundry actis apperandly not maid in parliament bot in generall counsell: think ye thame of like validitie as actis of parliament?’² Craig writes: ‘What then, it will be asked, of those statutes which are made in conventions of the estates or orders outside parliaments? Will such statutes have the force of laws? I do not think that these either [he has been speaking of acts of privy council] have equal force with acts of parliament: otherwise there would be no point in summoning parliaments, if what was done outside them had the same strength and validity; although I am aware that acts of convention not only have the authority of laws but by old custom were observed as equivalent to laws, especially when parliaments were not in use; for at that stage these conventions were in place of parliaments.’³

The ‘consilium’ of David II. in 1357 must have been called on less than forty days, and the three estates were represented:⁴ in 1363 there is an implied difference, in respect of the seal appended to writs of summons and the period of notice, between *parliamentum* and *consilium*.⁵ Yet there is a sense in which *parliamentum* may be *generale consilium*, as in 1368 when it deliberated for four days on relations with England.⁶ In 1369, when a commission was appointed, while the rest had licence to depart, the original constituent assembly acted by way of *generale consilium*, and the commission appointed was *consilium generale*.⁷ The transposition is not accidental. *Consilium generale* is applied to the whole commission, including certain persons nominated by the king. In the first ‘parliament’ of

¹ *A.P.* i. 556, 572.

² *Suppl. Parl. Papers*, i. 35.

³ *Jus Feudale*, i. 8, 10 (translated).

⁴ *A.P.* i. 491.

⁵ *Ibid.* 493.

⁶ *Ibid.* 503a.

⁷ *Ibid.* 534, cf. 508.

James I. (1424), which proceeded by commission, there was a case anent possession of the priory of Coldingham. The *presides* or *presidentes parliamenti*, as the committee on justice, gave decret; instructions were then given to the rightful prior *per dominum regem et suum consilium*; the whole finding—decret and instructions—was then incorporated as an *actum parliamenti*.¹ The extract, at Durham, has above the tag of the seal *actum consilii generalis*.² In 1368 there were two ‘parliaments,’ at the second of which persons were chosen *ad parliamentum tenendum*. In both cases David II. speaks of *nostrum consilium in parlamento*.³ It may be supposed, therefore, that *consilium generale* in this connexion came to be used of the *electe persone*, or commission, sitting finally as one body; for in 1369 the special committee on justice is to be ready *ante penultimum diem parliamenti*,⁴ and the ‘act’ of 1424 anent Coldingham, embodying a decret of the judicial committee, bears traces of having been ‘pronuncit’—as the later technical term had it—at a final meeting of the whole commission. In any case this use of *consilium generale* seems to be transitory, and relative perhaps to the fact that the commission of ‘parliament’ was a body subdivided by committee, meeting finally in joint session.

There is, however, a use of *consilium generale* in which there is an implied, and sometimes an express distinction between *consilium generale* and *parlamentum*. In 1384 the three estates were gathered *tanquam ad consilium generale*.⁵ Prelates and their procurators attended, others of the clergy, earls, barons, and burgesses.⁶ There were no judicial sentences, though measures were taken to improve the administration of justice. In 1385 we have two *consilia generalia*: in the second Carrick is *presidens*, like James II. in 1443.⁷ By 1388 we have express reference to a distinction. The three estates in *consilium generale* made Fife guardian; and his conduct would be reviewed by *consilium generale vel parlamentum*—assemblies of the estates which seem now and hereafter to be viewed as alternative. Both kinds of meeting are public, for that now held is *plenum consilium*, and the audit, which is to be annual, will take place *in pleno parlamento vel in generali consilio*.⁸ Again in 1397 the estates are in ‘consail general,’⁹ and proceed, somewhat after the fashion of ‘parliament’ in appointing a commission, to

¹ *A.P.* ii. 25.² *Nat. MSS.* ii. No. 65.³ *A.P.* i. 532-3.⁴ *Ibid.* 534a.⁵ *Ibid.* 550a.⁶ *Ibid.* 551b.⁷ *Ibid.* 551, 553; ii. 33.⁸ *Ibid.* i. 555-6.⁹ *Ibid.* 570.

name a smaller body—*persone . . . ad consilium nostrum limitate*.¹ This process seems to be repeated in 1398, when the estates in ‘consail generale’ created Rothesay lieutenant for three years, and a distinction was drawn between the ‘consail generale’ and the ‘consail special,’ the latter apparently a repetition of the ‘limited’ council of 1397.² At the same time there is reference to prospective assemblies of the estates, which may be ‘consail general or parlement.’³

It stands to reason that *parliamentum*, the high court summoned on forty days, would be cumbrous and unsuitable in cases of urgency which nevertheless demanded ‘general counsel.’ In 1357 the *consilium* had to consider the finance of David’s ransom. In 1363 the promise at Scone to respond to summons *sub quocunque sigillo*, without taking exception to either time or place, was given in connexion with English negotiations; and it indicated the need for an assembly which was representative and also convenient *pro re nata*. One of the *puncta* on which *parliamentum* was called in 1367 was the question of relations with England; and it was decided that if any tolerable conditions emerged ‘our lord the King and those of his sworn counsellors who are more nearly accessible to him at the time are to have free power in name of the prelates and lords assembled in this parliament to choose ambassadors and tax their expenses . . . without calling thereanent parliament or other council whatsoever.’⁴ The next parliament was informed that England would not negotiate *nisi per deliberationem et commissionem generalis consilii*, that is by some full and representative meeting of estates.⁵ The ‘consail generale’⁶ or *consilium trium statuum*⁷ was competent in 1398 to ordain a tax for ambassadorial expenses, and in 1423 to authorise agreement with England for the deliverance of James I.

There is one curious and difficult point which deserves closer inquiry by scholars. In 1363 it is implied that *parliamentum* is associated with a particular *locus*. From David II. to Robert III. the vast majority of *parliamenta* are connected with Scone or, occasionally, Perth. It is interesting, therefore, to observe that Alexander Cockburn in 1393 owes three capital suits, viz. at the justice-ayres of Berwick and Edinburgh and at *parlia-*

¹ *Ibid.* 572.

² *Ibid.* 572-3.

³ *Ibid.* 573b.

⁴ *Ibid.* 502b (translated).

⁵ *Ibid.* 503.

⁶ *Ibid.* 574.

⁷ *Ibid.* 589.

*mentum nostrum tentum apud Sconam.*¹ *Consilium generale*, on the other hand, moves more freely. We find it at Perth, Stirling, Linlithgow, and Edinburgh.

When we come to the period succeeding 1424 and the return of James I. the inquiry becomes very difficult. Though information is somewhat fuller, it is not derived directly from original records of Parliament. Under James I., according to Thomson's edition of the *Acts*, there were twelve 'parliaments' and three 'general councils'; and eleven of these 'parliaments' were at Perth. Under James II. eight of the fifteen 'parliaments' were at Edinburgh, four at Perth, and three at Stirling; while of the thirteen 'general councils,' five met at Edinburgh, six at Stirling, and two at Perth. With James III. and the beginning of the authentic parliamentary register there is a complete disappearance of 'general council.' All the assemblies recorded now are 'parliaments,' and all but one (Stirling) meet at Edinburgh. Under James I. 'parliament' is closely associated with Perth; under James III. it becomes as closely associated with Edinburgh. The transition period of James II. is remarkable because the estates assemble almost as often in 'general council' as they do in 'parliament.'

If our information does not enable us at present to see all the bearings of this change, there are one or two intelligible and important facts. It cannot escape notice that under James I. 'parliament' and 'general council' are still distinguished both in the denomination of the assemblies and in the body of the record.² At the same time there are indications of contamination. In March of 1427 the clerk of the *consilium generale* twice slips into the term 'parliament' with reference to the existing assembly;³ and once again, in 1436, he does the same.⁴ Moreover the meeting at which James endeavoured to carry so fundamental a measure as the representation of the small barons and freeholders of the sheriffdom was itself a *consilium generale*; and the act repeatedly mentioned the obligation to attend 'in parliament or general council,' while it implied that both modes of assembly had been called by the king's 'precept.'⁵ In 1425, again, the duty of personal compearance had been affirmed;⁶

¹ *A.P.* 580: in 1164 Malcolm IV. speaks of the church at Scone as 'founded in the principal seat of our kingdom' (364).

² Cf. *A.P.* ii. 9, c. 8; 15, c. 2.

³ *Ibid.* 15, cc. 4, 10.

⁵ *Ibid.* 15, c. 2.

⁴ *Ibid.* 23, c. 5.

⁶ *Ibid.* 9, c. 8.

and in both the *parliamentum* and the *consilium generale* of 1427 the summons is definitely stated to have been equally comprehensive in each case, and the fines for absence to have been imposed.¹ The clerk in fact uses exactly the same descriptive formula.

The policy of James I. in this matter can scarcely be elucidated without a more careful comparison with current procedure in England than has as yet been attempted. But it is clear that the *consilium generale* at Perth in July, 1428, evoked some controversy. The French marriage of Princess Margaret was in question.² There is special significance, whatever it may turn out to be, in the phrase *consilio generali . . . inchoato ratificato et approbato tanquam sufficienter vocato et debite premunito*.³ The natural interpretation is that James, in pursuance of the act in March, according to which ‘all bischoppis abbotis priors dukis erlis lordis of parliament and banrentis . . . wil be reservit and summonde to consalis and to parliamentis be his special precep,’⁴ was now trying to modify *consilium generale*. The problem requires consideration in the light of what may be discovered regarding the whole parliamentary policy of the king. There are signs that he disapproved of the slack attendance, which may have been encouraged by the commission procedure adopted in 1367; and it would be interesting to see whether his object was to obtain a representative ‘*parliament*’ in which *consilium generale* in its older form should be merged, and which might be expected to attend throughout the session without resort to the appointment of a commission with *licentia ceteris recedendi*. The ‘parliament’ of March 6, 1429, does not seem to have proceeded by commission. It was still sitting in considerable force on March 17.⁵

¹ *Ibid.* 13, 15.

² Thomas Thomson’s heading of the contract (*ibid.* 26) involves two errors: the contract was at Perth, and on July 19, as the document shows.

³ *Ibid.* 16.

⁴ *Ibid.* 15.

⁵ *Ibid.* 28, where Thomson’s date, March 10, is a mistake. The orthodox view of the Lords of the Articles requires serious reconsideration. Their probouleutic function is in place when Parliament does *not* proceed by commission, and when business must be digested for a house reluctant to remain long in attendance. We must not confuse a *commission* with a *probouleutic committee*, though there is obvious contamination. The Lords of the Articles, properly so-called, might be expected to come into action when James I. sought to abolish the *licentia recedendi*, and consequently to accelerate business. The Lords of Articles became a regular institution; but procedure by commission did not disappear.

Whatever were the purposes of James I., there is no visible alteration in *consilium generale* during the earlier portion of his successor's reign. In 1440 suits were called and fines for absence imposed;¹ and the assembly was large enough to appoint a committee of thirty-one, 'depute be the hale generale counsaile apoun this and othiris divers materies.'² But the Parliament of January, 1449, concluded with an ordinance which seems to be of great interest in view of succeeding developments.³ There was to be a 'generall counsall' at Perth in May. The obligation to compear was to be incumbent upon those receiving 'the precept of the kingis lettres,' a hint that all who owed attendance would not necessarily be summoned. An act had just been passed 'indicating that summons in causes 'befor the king and his consal' was competent on fifteen days. It appears also that the summons must be 'undir the quhite wax,' and that in the case of this 'general council' summons by a pursuer, also under the white wax, must be served on forty-five days. This is a matter which would demand attention from anyone engaged in tracing the evolution of the 'lords of council and session.' For the present purpose it is sufficient to note that the ordinance treats 'general council' as a court—and we know that it appointed an auditorial committee in civil causes⁴—but a court of narrower competence than 'parliament,' and subject in some measure to the selective power of the crown.

That 'general council' tended at this period to diverge from 'parliament' and approximate to an enlarged privy council is an important fact in Scottish constitutional history which has escaped notice and which should be made the subject of special investigation. It is the fact which explains the difficulty the Clerk Register and Sir Thomas Craig had towards the close of the sixteenth century in estimating the validity of acts in 'general council.' There can be no doubt that the process is intimately connected with the practice of creating 'lords of parliament'; but what the connexion is must remain for the present obscure. About the middle of the fifteenth century there was a great development of the practice. Unfortunately the *Scots Peerage* does not contain any excursus or statistical discussion; and the particular articles are often vague on the point, as some of the contributors failed to note useful evidence:

¹ *A.P.* 32.² *Ibid.* 56.³ *Ibid.* 39.⁴ *Ibid.* 37.⁵ *Ibid.* xii. 22.

such, for example, as the statement of the Auchinlek Chronicle that in 1452, ‘thar was maid vi or vii lordis of the parliament and banrentis,’ who are named. At all events it is in 1456 that we have a *consilium generale* appearing for the last time upon what may be called parliamentary record. Even if allowance is made for defective evidence before 1466, when the extant register of Parliament begins, it is impossible to ignore the importance of the fact that after 1466 that record knows nothing of ‘general council.’ The point has been obscured, perhaps, by Thomas Thomson, who printed at the head of the Acts under James V. the minute of a ‘generale counsale’ held some weeks after Flodden, without explaining that he took it from the *Acta Dominorum Concilii*.¹ It may be that in 1464 the clerk described a considerable assembly of representatives of the estates as *congregatio* because he was at a loss for a strictly technical term ;² and it should not be overlooked that in 1466 ‘summundis peremptour’ in actions ‘befor the king and his counsale’ was abridged to twenty one days.³ A special register of the acts of the ‘lords of council’ can be traced back to 1469.⁴

From this period ‘general council’ seems to become narrower. In 1476 the alternative of ‘parliament or generale consale’ is still contemplated ;⁵ but in 1473 no account of the ‘generale consale’ on the conduct of Archbishop Graham appears on parliamentary record.⁶ At the very end of James III.’s reign we learn how ‘parliament’ was summoned.⁷ Besides ‘generale preceptis,’ there were ‘speciale lettres’ under the signet to prelates and great lords, indicating the cause of meeting. These ‘letters’ did not give the forty days’ notice required in the case of the ‘precepts.’⁸ For ‘general council,’ it would appear, only letters under the signet were necessary. An examination of the ‘general councils’ under James IV. is not needed to show that they had become little more than enlarged privy councils. An inevitable consequence was that the burgh commissaries tended to drop out of meetings in which business closely affecting their interests might be transacted ; and there was danger in the tradition of competence attaching to the older and more representative assemblies. Thus in 1503 Parliament ordained ‘that the commissaris and hedismen of burrowis be warnyt

¹ *Ibid.* ii. 281.

² *Ibid.* 85, c. 7 ; cf. 37, c. 18.

³ *Ibid.* 114.

⁴ *A.P.* ii. 184.

⁵ *Ibid.* 84.

⁶ *Act. Dom. Con.* ii. xcvi.

⁷ *Treas. Acc.* i. 46.

⁸ Cf. *ibid.* 213 ; *T.A.* i. 113.

quhen taxtis or contributiouns ar gevin to haif ther avise thir-
intill as ane of the thre estatis of the realme.'¹ In 1563 it was
enacted that five or six of the principal provosts and bailies
should 'be warnit to all conventiounis that sall happin the
quenis grace . . . to conclude upone peax or weir . . . or making
or granting of generall taxatiounis.'² In 1567 the provosts and
commissaries were to be summoned to any 'generale con-
ventioun' on the weighty affairs of the realm and 'in speciale
for generale taxtis or extentis.'³

These quotations show us the term 'convention' in estab-
lished use. It crept in during the reign of James V.; but a
detailed study of the facts would be too laborious for the present
purpose. Not the least unfortunate result of the resignation
of Thomas Thomson was that his collection of extracts from
the MS. *Acta Dominorum Concilii* relating to public affairs,
intended to form an introductory volume to the *Register of the
Privy Council*—a register which assumed independent existence
in 1545—came to be overlooked, and remains to this day the
most important unpublished material relating to the period.
Brewer's calendar of the Henry VIII. papers and his historical
introduction suffered in consequence: the foundation of the
College of Justice in 1532 has not been connected with
the judicial development which led up to it: many im-
portant facts relating to Parliament and Council have escaped
notice: the whole history of James V.'s reign stands in need
of revision.

We find 'convention' in 1522 and 1523 applied to gatherings
which had a military design.⁴ Within a very few years 'general
convention' or 'convention' had almost ousted 'general
council' in common usage. Special investigation, which might
be suitable for a research student, would illustrate in detail how
'convention' was treated: how the 'letters' were issued by
the Secretary under the signet: how short, sometimes, the notice
was: how considerable, on occasion, the attendance—as in
1531, when fifty-five members sat:⁵ how this form of meeting
appears at once in the *Register of the Privy Council*, where the
lords responding to summons are enumerated after the Privy
Councillors under such headings as *ratione conventionis* or *extra-
ordinarii ratione conventus*. The continuity of 'general council'
and 'convention' is obvious.

¹ *A.P.* ii. 252, c. 30.

² *Ibid.* 543.

³ *Ibid.* iii. 42.

⁴ *Tr. Acc.* v. 208, 212, 225.

⁵ *A.D.C.* Jan. 26, 1531.

It may be useful to quote a mutilated specimen of the ‘letters’ issued in summons, extant among the Supplementary Parliamentary Papers; ¹ probably one prepared by the Regent Arran’s Secretary and not sent out. Addressing his ‘richt traist cousing,’ the Regent expresses fear of English invasion. ‘It is thocht expedient be us and the lordis being here present with us that ane conventioun be h . . . and barronis of this realme and uthiris quhais counsale ar to be had in this behalff . . . prayis you rycht effectuislie as ye luif the wele and prosperitie of this realme . . . you to be in this toun of Edinburgh the last day of this instant moneth of Januar . . . counsale to be had in all thir materis and uthiris as salbe schewin to you at . . . failze nocht heirintill as ye luif the auld honour and fame that our foirbeiris . . . for the debait of this realme and liberte of the samin.’ The letter is dated January 9, 154-.

Lastly, it may be well to refer to the famous act of 1587 anent commissioners of the sheriffdoms,² lest any too trustful historian be deceived by the astounding statement in the *General Index*, s.v. ‘Convention of Estates’: ‘The commissioners of shires to be summoned to general conventions by precepts of chancery like the other Estates.’ What the act intends to say is perfectly consistent with the general results of the present inquiry. When there is to be ‘parliament’ summons is by ‘precepts furth of the chancellarie’: when ‘generall conventioun,’ by ‘his hienes missive lettres or chargeis.’ One clause is peculiarly apposite to the point discussed, because it indicates the practical considerations which made ‘general council’ or ‘convention’ a useful instrument *pro re nata*, an elastic assembly which could be rapidly summoned and which, though not fully representative, might be held to reflect the views of the estates: ‘And that his Maiesties missives befor generall counsellis salbe directit to the saidis commissioners or certane of the maist ewest of thame as to the commissioners of burrowis in tyme cuming.’ Proceedings at the Convention of 1585, when the league with Elizabeth was sanctioned, illustrate the advantages of an assembly called on shorter notice than ‘parliament,’ and also the growth of a feeling that it had become insufficiently representative to commit the estates. The matter ‘may na langer be protractit nor without perrel differrit to a mair solemne conventioun of the haill estaittis in parliament’: authority to conclude is granted ‘for ws and in name and behalff of the haill esteatis

¹ I. No. 12.

² *A.P.* iii. 509-10.

of this realme quhais body in this conventioun we represent'; but it is recognised that subsequent confirmation in Parliament will be necessary.¹ In 1583, again, James VI. desired a taxation, and 'convenit a gude nowmer of his estaittis.' So large a sum, they considered, required 'the presence of a greittar nowmer.' There was no doubt, of course, that 'convention' had competence; but final resolution was postponed till 'the assembly of his hienes estaittis in his nixt parliament . . . or to a new conventioun of the estattis in greittar nowmer nor is presentlie assembled.'² If James I. sought to fuse 'parliament' and 'general council,' he failed. It is very remarkable that under James VI., when his predecessor's Act of General Council for the representation of shires was being carried into effect, we should find this evident sense of dissatisfaction with 'convention' as it stood, and a gradual approach—or, according to the view here adopted, a return—to the full publicity of a general assembly of the estates.

Clearly 'general council' or 'convention' is a salient and distinctive feature in the constitution of Scotland. The conventions of the seventeenth century will doubtless become more intelligible when we understand the long tradition upon which they were founded.

R. K. HANNAY.

¹ *A.P.* 423.

² *Ibid.* 328.

The Stuart Papers at Windsor Castle

THE Royal Library at Windsor contains the immense mass of letters and papers known as the Stuart Papers which formerly belonged to the last members of the direct Stuart line, James VIII. and his two sons, Charles III. and Henry IX. The papers were brought to England from Italy at dates between 1810 and 1817. The document which is here published for the first time is of interest, because it appears to be the earliest hitherto-discovered description of one important section of the Stuart Papers.

It seems scarcely necessary to go over the somewhat chequered history of the Stuart Papers, which have been subject to almost as much maltreatment and as many vicissitudes as the unfortunate Family, whose tragedy they unfold. For is it not written in the *Chronicles of the Historical Manuscripts Commission*, the six bulky volumes already published which bring the Calendar down to about March 1718? The wonderful thing is that the papers have survived at all. In order, however, that the document now printed may be intelligible, it is necessary to recapitulate some of the main facts.

It has long been known that the Stuart Papers came from two different sources and were acquired by the Crown on two distinct occasions. The first consignment of papers was obtained from the Abbé Waters, Procureur-General of the English Benedictines at Rome, as the result of negotiations begun in 1804 and concluded in 1805 by Sir John Coxe Hippisley and, after lying for several years at Civita Vecchia awaiting transport to England, were finally brought to London via Tunis in 1810. This consignment represented, as far as can now be discovered, the whole or part of the papers which passed at the death of Charles III. to his daughter, the Duchess of Albany, and at her death to Abbé Waters under conditions to be discussed later.

The second consignment, which contained the papers belonging to the Cardinal York and which he had for the most part

obtained from his father James VIII. and the main line of the Family, passed on the death of the Cardinal to the Bishop of Milevi, Mgr. Cesarini. Their value was quite unknown and unappreciated and after they had lain in a garret in Rome for some time, they were bought for a few pounds by a Scot of very doubtful reputation, Dr. Robert Watson, who was ultimately compelled to hand them over to the British Government. They reached England in 1817. The full story, one of the most romantic in the whole history of Manuscripts, will be found in Vol. I. Stuart Papers, *Hist. MSS. Comm.* pp. ix.-xiv.

The two collections are now housed together at Windsor and it is difficult, if not impossible, to decide with accuracy which documents belonged to which collection. This is due to the fact that the Commission appointed in 1819 to examine and report upon the Papers resolved that the first step was to arrange them all in chronological order. Some of the documents in the first collection can be identified by reason of their having endorsements by Abbé Waters.

The following is the new document, which throws some light upon the early history of the first collection.

DOCUMENT

THE Abbe J. W[aters] a Native of I[taly] educated at Douay & Monk of the Benedictine Order about 17 years ago at Paris became made known to the Natural Daughter of the late Pretender known by the name of Miss S[tuart] who lived in that Metropolis with her Mother.

In 1777 M^r W[aters] was appointed Agent-general to all the English Benedictine Convents, in which capacity he has resided at R[ome] ever since.

In the year 1785 two or 3 years before he died the late C[ount] of A[lbany] acknowledgd and publickly ownd Miss S[tuart],¹ brought her to Florence & distinguishd her with the T[itle] of D[uchess] of Albany. She liv'd with her Father till his Decease. Soon after her Arrival in Italy she sent for M^r W[aters] & treated him uniform[ly] with many marks of confidence [and] of esteem till her death which happen'd in November. 1789. In her Will she appointed M^r W[aters] her Executor & assign'd to him all her books & papers. These M^r W[aters] brought from Florence to Rome & deposited in the apartment of the

¹ 'as his daughter' crased.

Palace of the C[ancellaria] (which as V[ice] Chancellor of the apostolic See belongs to the Cardinal of York) which had been hers but has ever since been considered that of M^r W[aters].

Having occupied some of my leisure at R[ome] in searching public Libraries for papers relating to the History of my own country—his R[oyal] H[ighness] P[rin]ce A[ugustus] in December last condescend[ed] to inform me that he had heard of M^r W[aters] being in possession of some papers relating to the S[tuart] Family & signified his pleasure that I should make his acquaintance & use my endeavor so far as to investigate the real state of them. In the course of a few weeks I succeeded so far & obtained a view of them.¹

The collection is contained & entirely fills 2 Presses of almost 7 feet high & between 5 & 6 wide & 18 inches deep each—the transient view I was allow'd to take prevents my giving the full & satisfactory account of them I could wish. The principal were as follows.

There are four volumes in quarto of upwards of a 1000 pages each containing a History of the Affairs of England from the Death of Charles 1st to the year 1701. It is written in English—with much apparent accuracy & with marginal references to Letters & Documents from whence compil'd. The originals were probably destroy'd when the History was finish'd, as I saw no letters previous to the present century.

Six Volumes in small Folio & a 7th begun of Letters, Warrants, public Papers etc from the year 1701 to the year 1774.

Two odd volumes by a M^r MacEgan of a Journal kept by him during his attendance on the Pretender.

The other Volumes were sent a few years ago to Mons^r Guyot of Paris who was composing a History of the Times of which they treated & were never returned.

A Journal of the years 1745 & 46 written in French of sufficient length to form a moderately sized Quarto volume.

Account Books of all the Receipts & Expenditures of the Family kept with great exactness & several other M.S. volumes bound up, which must be left for future examination.

A collection of Keys for decyphering private correspondence with lists of the feigned names assumed by the correspondents & of such persons as they had occasion to mention.

The letters are chiefly from the beginning of this century to the death of the Count of Albany & contain not only such as

¹ 'the vast & valuable collection' deleted.

were receiv'd by the Stuarts during that period, but the answers to them : for M^r W[aters] informs me that it [had] ever been the custom of the Family never to write a letter or billet even in the most trifling occasion without keeping a copy of it. It may be observ'd that M^r Waters inform'd me that after the decease of the Duchess, he burnt all those that were of a trifling nature.

The different correspondences were in general tied or seal'd up in different bundles—I took down one which contain'd letters from the Bishop of Rochester & the Duke of Wharton to the Pretender in the year 1727, written under feign'd names & partly in figures which were explain'd in interlineations. It is probable that this collection contains all the letters & other papers to and from the friends and adherents of the Stuart Cause during the present century, the immense bulk of which may be conceiv'd from the dimensions of the Presses above given which are stuff'd entirely full.

During my intercourse with M^r W[aters] I ask'd him what was his intention as to the use or disposal of them. He replied that at the death of the C[ardinal] of Y[ork] he had thoughts of turning them to some account & should probably sell them. I then ask'd him whether any consideration would induce him [to] part with them before that event. He said none—I then added that I was authoris'd by P[rince] A[ugustus] to treat with him for them & would enter into a negociation immediately. He answered : that whatever might be his inclination, his situation with the C[ardinal] render'd it impossible. For tho' by the will of the Duchess they were his own property & tho' the C[ardinal], whose inactivity of temper prevented him from interesting himself in any thing of the kind¹ & who when M^r W[aters] has mentioned them to him has repeatedly said “you have them, do what you will with them.”—yet if any negociation was to transpire particularly with the parties in question, such is his influence that M^r W[aters] would run the risque of being arrested²—& he would give orders for all the papers to be burnt. Nothing of the kind would be carried on without his knowledge, for he is surrounded by people who have this end in availing themselves of the weakness of his disposition & who amuse him with the most trifling details, so that all his dependents are oblig'd to act with the utmost circumspection.

¹ ‘and who in fact knows or cares very little about them’ deleted.

² ‘and imprison'd perhaps for life’ deleted.

The result of our conference was this—that upon condition that the business should not be known to a 4th person he would solemnly pledge himself never to dispose of them to any one but to P[rince] A[ugustus] or the R[oyal] F[amily] of England without their consent.

That I might give his R[oyal] H[ighness] some general idea of them, he introduced me to a sight of them—saying that I was the first to whom he had ever shown them & that the only M.S. that had been seen was the Journal of 1745 above mention'd which he lent to Sir J[] M[] last year under a promise of secrecy & who imparted it in confidence to his R[oyal] H[ighness].¹

As M^r W[aters] does not occupy his apartment in the C[ancellaria], but resides in a house at some distance belonging to him as Agent, he means to remove² the most important MSS from time to time to his own dwelling. According[ly] he now sets apart two days in the week to make selections.³ He has already remov'd all the books above recited, the keys to the cyphers & many of the Letters & especially those written by the Pretender relative to the Rebellion in 1745.

He promis'd to give me a general list of the most material, but he puts me off as often as I see him, & I believe in reality is fearful lest any written paper that relates to the collection should go out of his hands.⁴

M^r W[aters] is turn'd of 40 & is respected as a man of integrity—the C[ardinal] is near 70 & not of a strong constitution so that there is little doubt but that the Royal Family will be in possession of this valuable collection in the course of a few years.

I endeavour'd to find out what kind of recompence M^r W[aters] was most inclin'd to. I am not authoris'd to decide, but I believe a Pension would be most desireable, nor do I think he is unreasonable in his expectations.

There are also in his apartment in the C[ancellaria] about 40 Miniature Portraits of the Stuart Family beginning with Mary Queen of Scots. These are the property of the Cardinal.

The Highland Dress worn by the Pretender in the year 1745.

¹ 'from whence the knowledge of the whole arose' deleted.

² 'I advis'd him to remove' in first draft.

³ '& loads his servant & himself home in the evening' deleted.

⁴ 'and it is only in failure of which that I attempt this imperfect sketch' deleted.

The Jewels of the S[tuart] Family & many that were carried for [*sic*] E[ngland] by James 2nd were for some time in possession of M^r W[aters] after the death of the D[uchess] of A[lbany] & who if requir'd would furnish a Catalogue of them & at how much they were estimated.

In a subsequent interview with M^r W[aters] he assur'd me that tho' no inducement should tempt him to depart from his engagement with P[rince] A[ugustus], yet he should feel himself more bound to his R[oyal] H[ighness], if¹ he would condescend to solicit the P[ope] for some Benefice or Pension for him, his income having suffer'd so materially from the Revolution in France.

This being reported, his R[oyal] H[ighness] graciously undertook the solicitation & in his last interview he obtained a promise from His Holiness, that M^r W[aters] should be provided for.

It will be observed that the document is unsigned. It was bought some years ago among a number of other papers connected with Sir William Hamilton, the distinguished sailor who is perhaps best known as the husband of Lady Hamilton, the friend of Nelson. It now belongs to the present writer. The handwriting has been examined and is clearly that of Sir William Hamilton. The document is a draft, not a fair copy, and at present it is not known whether the fair copy still exists or even to whom it was sent. It was probably a confidential report made by Hamilton either to some Minister of the Crown or possibly to some member of the Royal Family. This may be inferred from the sentence² that the understanding with Waters was not to be known to a fourth person. Presumably Waters himself, Hamilton and the recipient of the report were the three persons who were to be in the secret. The reference to Prince Augustus in the following sentence makes it clear that the third person was not the Prince himself.

The date of the document is almost certainly 1793. Hamilton is known to have been in Rome in 1792, 1793. Moreover, this can be inferred from the statement that 'the Cardinal is near seventy'—he was seventy in 1795.

The Stuart Papers are not at present open for inspection in the ordinary way, as they are being arranged and bound: and until that process is complete, examination of them is difficult. Moreover, a considerable portion of them is away from Windsor

¹ 'before he left Rome' deleted.

² P. 175.

in the Public Record Office, undergoing further examination. His Majesty the King was however graciously pleased to grant permission for the Papers to be seen, for the purpose of ascertaining some points arising from the Hamilton document.¹ Assuming that this is the earliest statement of the contents of the Waters collection, it is obviously of interest to see how Hamilton's list compares with other records of the collection.

There have hitherto been two lists. One was that of Waters himself and was stated to be in a certain green portfolio which accompanied the collection and which was apparently extant in 1902, when the Historical Manuscripts Commission published their first volume.² It was not available for this investigation and is probably at the Record Office. The other list was that made by the Rev. Stanier Clarke, Librarian to the Prince Regent, when he handed over the Stuart Papers to the Commissioners in 1819. This second list is a rather slipshod and certainly incomplete one and not much reliance can be placed on it. Further, it must be remembered that Hamilton's list merely represents the results of a 'transient view' of the collection, not a systematic examination by a trained historian.

It has, however, been possible to identify some at any rate of the items seen by Hamilton with documents now at Windsor and thus to establish the provenance of those documents as coming originally from the Waters collection.

I. *'Four volumes in quarto of upwards of a 1000 pages each containing a History of the Affairs of England from the Death of Charles 1st to the year 1701. It is written in English—with much apparent accuracy and with marginal references to Letters and Documents from whence compil'd.'*

This is evidently the set of four volumes quarto of *'The Life of James II. King of England, etc., collected out of Memoirs writ with his own hand,'* covering the years 1641-1701.

Vol. I. contains 1091 pp.: II., 893; III., 740; IV., 978. The period down to the death of Charles I. is in Vol. I., pp. 1-138. This work was published by the Rev. Stanier Clarke in two volumes in 1816.

II. *'Six volumes in small Folio and a seventh begun of Letters, Warrants, public Papers, etc., from the year 1701 to the year 1774.'*

¹The actual investigation was made by Mr. H. H. Bellot for the present writer.

²H.M.C. vol. i. p. vi.

This is probably either (1) 'Five volumes of Entry Books,' numbered 3 in Clarke's list¹ or 'Register of Letters from 1769 to 1774 and copies and minutes of commissions, warrants, etc., 1719-1773,' numbered 10 in Clarke's list. These are not at present at Windsor and are presumably at the Record Office.

III. '*Two odd volumes by a Mr. MacEgan of a Journal kept by him during his attendance on the Pretender.*'

In Clarke's list item 4 is a "Historia della Reale Casa Stuarda composta da Giovanni MacEgan di Kilbaran." This is almost certainly part of the *Histoire de l'Irlande* published in 1758 by the Abbe James MacGeoghegan, one of the members of the Irish Royalist sept of MacGeoghegan which hailed from Castletown-Geoghegan, near Kilbeggan. The last section of the book is described as the History of the Four Stuart Kings and goes down to 1699. But the document seen by Hamilton cannot be the same. The Abbe James MacGeoghegan does not appear to have been in attendance on the Prince. It may have been the work of another member of the family, Alexander who was with the Prince in Scotland in 1745-46 and later saw service with the French in India: or it may have been his brother Sir Francis who was in Lally's regiment and fell at the battle of Laffeldé 1747. For this suggested identification of 'MacEgan' with one of the MacGeoghegans, the present writer is indebted to Dr. Walter Blaikie.

IV. '*The other volumes were sent a few years ago to Monsr. Guyot of Paris who was composing a History of the Times of which they treated and were never returned.*'

The reprehensible borrower was probably G. G. Guyot who published an *Histoire d'Angleterre* in 1784, and an *Histoire de France*, in 1787-95.

V. '*A Journal of the years 1745 and 46 written in French of sufficient length to form a moderately sized Quarto volume.*'

There is a document entitled 'Memoires pour servir à l'histoire du Prince Charles Edouard Stuard 1745 et 1746' 359 pp., which would make a thin quarto if bound up: at present it is in sections tied with pink ribbon.

VI. '*Account Books of all the Receipts and Expenditures of the Family, etc.*'

There are at Windsor a large number of Account Books.

VII. '*A collection of keys for decyphering private correspondence.*'

These have mostly been published by the Historical Manu-

¹ H.M.C. i. vi.

scripts Commission. They are presumably at the Record Office now.

VIII. '*I took down one [bundle of correspondence] which contained letters from the Bishop of Rochester and the Duke of Wharton to the Pretender—in the year 1727.*'

All the separate letters received—and they are said to number over 60,000—have by now been arranged in chronological order and the bundles covering 1727 have been already bound up.

The volumes for 1727 do contain letters from the Bishop of Rochester and the Duke of Wharton.

From this it will be seen that Sir William Hamilton was very accurate in his observations and that a good deal of what he saw can still be identified.

The main interest of the document is to show that the negotiations for the Waters collection did not begin with Sir John Hippisley in 1804, as apparently believed by Mr. F. H. Blackburne Daniell, the Editor of the *H.M.C. Calendar* (1902), but at least ten years earlier. In fact, it would appear from the Hamilton document that there was already in 1793 some understanding with Mr. Waters as to the destination of the papers.

Abbé Waters was not very straightforward with Sir William Hamilton as to his rights in the Stuart Papers. It is quite true that he was executor to the Duchess of Albany: but the will of the Duchess, which has been found and published by the Scottish History Society, provides as follows:

'She further charges the said Abbati Waters to collect all the letters belonging to the royal house and family *and to deliver them to her royal uncle*. All her purely personal letters to be assigned to the flames by the hand of the said Abbati.' (Translated from original Italian.)

Evidently Abbé Waters carried out the second clause by burning 'all those that were of a trifling character.' But he does not seem to have handed over the family archives to the Cardinal York, perhaps because the Cardinal had enough of his own,¹ and was not sufficiently interested. It looks as if the bound volumes, cyphers and letters selected by Waters and taken by him from the Cancellaria to his private dwelling made up the bulk of the first collection. The residue probably became merged in the Cardinal's papers and formed part of the Watson collection. If this explanation is correct, it would account for the presence in the Watson collection of a good many

¹ The collection subsequently bought by Watson.

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papers with endorsements in Waters' handwriting, showing that they passed through his hands.

Nothing definite is known as to the collection of forty Stuart miniatures which were in Waters' apartment in the Cancellaria or the Highland Dress mentioned in the document. They probably remained there and were scattered, like so much else of the Cardinal Duke's possessions in Rome during the troublous years which followed.

Thanks are due to the Hon. John Fortescue, Librarian of Windsor Castle, with whose courteous co-operation the investigation was made.

WALTER SETON.

Scottish Biblical Inscriptions in France

AT the chateau of Chenonceaux, in the department of Indre-et-Loire, there exist some interesting records of a Scot, or Scots, in France in the first half of the sixteenth century, in the form of some texts from the New Testament which are incised on the inner walls of the chapel ; the chapel itself is a fine piece of early 16th-century work. These inscriptions have been brought to my notice by M. Henri Berthon, Taylorian Lecturer in French in the University of Oxford, and to his kindness, and that of Mme. Mainguy at Chenonceaux, I am indebted for the following copies of them, and for verification of doubtful points. As will be seen from the references which I have added, three of the texts are from the Epistle to the Romans, and one from the Epistle of St. James, while the dates range from 1543 to 1548. The lettering is partly roman capitals and partly black letter or roman minuscules ; the variations of these are here reproduced as far as could readily be done.

1. In the middle of the left-hand wall of the chapel :

the REWARD of Jpn is deid
THE GRACE FORSVYCHT OF
GOD IS PAYS AND lyIF IN IESV
CHRST OVR LORD 1543

(Rom. vi. 23.)

2. Almost opposite this, on a pilaster of the right-hand wall :

ANſERVORE
THE = IR = OF = MAN
VIRKIS NOT = TH
E = iVSTICE = OF
GOD
1543

(James i. 20.)

Below this occurs : 1543 JESUS

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3. On the right-hand wall, behind the door :

ANfERNORE

be not = ourcum = bycht = enil 1546

(Rom. xii. 21.)

4. On the left-hand wall, behind the door :

ANfERVORE

AND 3E lepf EFTER

THE FLECHE 3E S

Al DEg 1548

(Rom. viii. 13.)

There was, of course, no Scottish version of the New Testament in general use, and the wording of the texts does not correspond with Nisbet's adaptation of the Wycliffite version, nor as a whole with any Scottish renderings in religious works of the period. The wording of Rom. viii. 13 is indeed identical with that in Archbishop Hamilton's Catechism (p. 117): 'And ye lief efter the fleisch ye sall dee,' but this correspondence may very well be accidental. The probability is that each text was independently translated from French or Latin, and in the rendering of Rom. vi. 23, the translator evidently trusted to memory, and so substituted 'pays and lyif' for 'everlasting life.' (In the same verse 'forsvycht' is equivalent to 'forsuyth' = forsooth, as in No. 3 'vycht' is = with.)

There remains one unsolved puzzle in three of the four inscriptions, namely the meaning of the introductory letters, *anfervore*. It seems most natural to take these as representing the Latin words *an fervore*, and to suppose that they are either the beginning of a familiar verse or sentence in one of the services of the church, or form part or whole of a family or personal motto. In the latter case they might serve to identify the unknown author or authors of these inscriptions, of which local tradition knows no more than that their existence is due to the presence of Scottish guards at the chateau, but in what connexion is apparently unknown. Perhaps someone who has made a special study of the Scots in France may be able to follow up the clue.

Oxford.

W. A. CRAIGIE.

Ninian Campbell, Professor of Eloquence at Saumur, Minister of Kilmacolm and of Rosneath

FOR many centuries there were intimate relations between Scotland and France. Scottish merchants traded with France; French merchants traded with Scotland; there was constant intercourse between the people and more particularly between the Courts of the two kingdoms. Scottish scholars flocked to France in large numbers, where they were courteously received. This did not cease with the Reformation. Many Scotsmen who adhered to the old faith sought refuge in France, while scholars of the Reformed party were gladly welcomed by the French Protestants and found employment amongst them. Many young Scotsmen of good family likewise visited France with their tutors or governors, and studied at one or other of the great schools of learning.

Philippe de Mornay, seigneur du Plessis-Mornay, 1549-1623, the great champion of the Protestant cause in France, was appointed governor in Saumur in 1589 by Henry IV. Saumur is an old town on an island in the Loire, formerly in the province of Anjou, now in the department of Marne et Loire, with several interesting churches, an old castle of the thirteenth century, and a fine town-house. At one time it belonged to the dukes of Anjou, but in the thirteenth century it fell into the hands of the Kings of France, to whom it remained faithful.

De Mornay, it is now generally believed, was the author of the celebrated treatise *Vindiciae contra tyrannos*, published under the pseudonym of Stephanus Junius Brutus, bearing to be printed at Edinburgh in 8vo in 1579,¹ but probably at Basle, formerly

¹ *The Cambridge Modern History*, iii. pp. 760, 761, 764. Also ascribed to Hubert Languet, Hallam, *Literature of Europe*, ii. p. 132, ed. 1872. Brunet, *Manuel du Libraire*, i. 1907, s.v. Brutus (Stephanus Junius). The book bears the false imprint, Edimburgi Anno 1579. It was probably printed at Basle. It was translated into English by N. Y., 1646, and again 1648, the latter said to be by Walker, the executioner of Charles I.

attributed to Hubert Languet ; reprinted at Frankfort in 1608, and translated into English in 1689.

At Saumur de Mornay established a Protestant University which soon attained great celebrity by the eminence of its professors and the brilliancy of its students. The school of Saumur represented the more moderate side of French Protestantism, as opposed to that of Sedan. ' In contemplating the history of these seminaries,' says David Irving, ' it is impossible for us to suppress a feeling of deep regret at the common ruin which afterwards overwhelmed them, in consequence of the faithless and unrelenting conduct of a cold-blooded tyrant.'¹

Six Scotsmen, all, with two exceptions, connected with Glasgow, were professors at Saumur in the early part of the seventeenth century. These were Robert Boyd of Trochrig, afterwards Principal of the University of Glasgow ; Zachary Boyd, his cousin, the well-known minister of the Barony Church of Glasgow ; John Cameron, the famous theologian, a native of Glasgow, afterwards Principal of the University ; Mark Duncan, M.D., a native of Roxburghshire ; Robert Monteith of Salmonet, a native of Edinburgh ; and Ninian Campbell, the subject of this paper.

Robert Boyd of Trochrig, 1578-1627, was the eldest son of James Boyd of Trochrig, archbishop of Glasgow, and was born in Glasgow in 1578—' *Glascua me genuit.*' Trochrig is now in the parish of Girvan, but prior to 1653 formed part of the extensive parish of Kirkoswald of which James Boyd was minister, while holding the see of Glasgow. Robert Boyd was educated at the newly established University of Edinburgh, and then proceeded to France. After teaching Philosophy at Montauban for five years, 1599-1603, he was called to the pastorate of the church at Vertreuil in the old province of Guyenne, now in the department of Gironde. In 1606 he was appointed a regent or professor of philosophy at Saumur. He mentions the removal of his library to that town and that he spent a considerable sum in augmenting it after he had settled there. He was subsequently called to the Chair of Divinity, and along with this he discharged the office of a pastor in the town. His preaching in French, it is said, was greatly admired by the people. He only held the Chair of Divinity, however, for a year, as in 1615 he was summoned by King James VI. to be Principal of the University of Glasgow. Besides performing the duties of this office he was

¹ Irving, *Lives of Scottish Writers*, i. p. 297, Edinburgh 1839, 8vo.

professor of divinity, taught Hebrew and Syriac, and had the pastoral charge of the parish of Govan. His opinions upon church government did not accord with those of the king and the church party, and he resigned the principalship in 1621, retired to Trochrig and died at Edinburgh in 1627.¹

John Livingston speaks of him as a man of a sour-like disposition and carriage, but always kind and familiar. He would call some of the students to him, place books before them and have them 'sing tunes of music, wherein he took great delight.'²

Robert Blair calls him 'a learned and holy man,' and mentions that he was present at his inaugural oration as Principal, which very much cheered him. Some one put the question to him 'that seeing he was a gentleman of considerable estate whereupon he might live competently enough, what caused him to embrace so painful a calling, as both to profess divinity in the schools, and teach people also by his ministry? His answer was that considering the great wrath under which he lay naturally, and the great salvation purchased to him by Jesus Christ he had resolved to spend himself to the utmost, giving all diligence to glorify that Lord who had so loved him.' Blair felt that this was a man of God, one in a thousand.³

His portrait hangs in the Senate room of the University.

Zachary Boyd, 1585-1653, studied at the Universities of Glasgow and St. Andrews, at the latter of which he graduated M.A. in 1607. Thereafter he proceeded to Saumur where he was appointed one of the Regents in 1612. In 1615 he was offered the principalship of the University, but did not see his way to accept it. In 1617 he was presented to the Church of Notre Dame, in Saumur, associated with the memory of Louis XI., but the position of Protestants in France became so uncomfortable that he resigned his charge and returned to Scotland, and was in 1623 admitted minister of the Barony parish of Glasgow.

John Cameron, 1579-1625, was born in Glasgow, studied at the University and afterwards taught Greek. In 1600 he removed to France, and after some time passed at Bordeaux he was appointed to teach the classical languages in the newly established College of Bergerat and shortly afterwards he became Professor of Divinity at Sedan. He again returned to Bordeaux,

¹ Wodrow gives a long account of Robert Boyd, *Lives of the Reformers and most eminent ministers of the Church of Scotland*, ii. part ii. p. 1 sqq. (Maitland Club).

² *Brief historical relation of the life of Mr. John Livingston*, p. 6, 1737, 4to.

³ *Memoirs of the life of Mr. Robert Blair*, p. 11, Edinburgh 1764, 8vo.

and from there visited Paris, Geneva and Heidelberg to pursue his studies. When Franz Gomar, 1563-1641, was called from Saumur to Groningen in 1618, Cameron was appointed to the chair of divinity at Saumur. His lectures attracted large audiences and were often attended by de Mornay. In 1620 the students were almost all dispersed by the political troubles in France and Cameron accepted the principalship of the University of Glasgow. In 1623 he resigned and returned to Saumur, but was not allowed to teach, and in 1624 he was appointed to the chair of Divinity at Montauban, where he died the next year.¹

Mark Duncan (? 1570-1640) was born at Maxpoffe in Roxburghshire. He went to the continent in early life and obtained the degree of M.D., but at what University is not known. He obtained an appointment as Regent or Professor of Philosophy at Saumur and acquired great celebrity as a teacher. He published a well-known treatise on Logic² which passed through several editions, and is highly commended by Sir William Hamilton.³ He also practised medicine and obtained great popularity as a physician. He became Principal of the University, retaining at the same time his professorship of philosophy. Among his pupils was Jean Daillé, one of the most distinguished theologians of the seventeenth century, author of a once celebrated book on the right use of the Fathers.⁴

Duncan's elder brother, William, Dempster assures us, excelled in the liberal arts and especially in Greek, and distinguished himself as Professor of Philosophy and Physic in the schools of Toulouse and Montauban. Mark's son, also named Mark, but better known under the name M. de Cerisantes, was a kind of Admirable Crichton, whose life was more romantic than a romance. He obtained high celebrity as a Latin poet and approached more nearly to Catullus than any other modern has done.⁵

¹ As to Cameron, see Wodrow, *Op. laud.* vol. ii. part i. p. 81 *sqq.* Irving, *Lives of Scottish Writers*, i. p. 333.

² *Institutiones Logicae*, Salmurii 1612, 12mo, Paris 1613, 8vo, and many other editions.

Burgersdyk was a colleague of Duncan at Saumur, and his well-known treatise on logic is largely founded on Duncan's work.

³ *Discussions*, pp. 121, 122. London 1853, 8vo.

⁴ *Traicté de l'employ dessaincts pères pour le jugement des differends qui sont aujourd'huy en la religion.* Geneva 1632, 8vo. In English, London 1651, 4to; in Latin, Geneva 1655, 4to.

⁵ As to Duncan, see Irving, *Lives of Scottish Writers*, vol. 301.

Robert Menteith of Salmonet was the third and youngest son of Alexander Menteith, a burghess of Edinburgh. He was educated at the University of Edinburgh, where he graduated M.A. in 1621. Shortly afterwards he removed to Saumur, where he was appointed Professor of Philosophy. I have the MS. of his lectures on Philosophy for the session 1625-26. He seems to have returned to Scotland about this time, 'with an great show of learning.' In 1629 he was a candidate for the Chair of Divinity in the University of Edinburgh, but was not elected. Next year he was presented to the parish of Duddingston and admitted, but having engaged in improper intimacy with a lady of rank he had to leave the country. He then went to Paris, where he joined the Roman Catholic church, obtained the patronage of Cardinal Richelieu, and was made a canon of Notre Dame de Paris by Cardinal de Retz. Michel de Marolles, who met him at court in 1641, refers to his gentle and agreeable personality and witty conversation, and adds that 'never was there a man more wise, or more disinterested, or more respected by the legitimate authorities.' He expresses an equally high opinion of his learning and intellectual accomplishments, and makes special mention of the elegant French style of his writings. The date of his death is uncertain, but it was prior to 13th September, 1660.¹ He is still remembered by his *Histoire des Troubles de la Grande Bretagne*, 1633-1646, published at Paris in 1661, and translated into English by James Ogilvie in 1675.²

Gabriel Ferguson, a contemporary Scotsman at Saumur, treats of the learned men of Scotland.³

Ninian Campbell was born in or about the year 1599. He was a native of Cowal, and apparently well-born, as when speaking of

¹ See Riddell, *The Keir Performance*, p. 250. Edinburgh 1860, 4to.

² Our old friend Monteith of Salmonet did not fail to dedicate the territorial title he had so ingeniously achieved to the glory of his country. The title-page of his book is indeed a very fair display of the spirit which actuated his literary countrymen. He is on the same cavalier side of the great question Clarendon held, but that does not hinder him from bringing the English historian to task for injustice to the weight and merits of Scotland thus: 'The History of the Troubles of Great Britain, containing a particular account of the most remarkable passages in Scotland, from the year 1633 to 1650, with an exact relation of the wars carried on, and the battles fought, by the Marquis of Montrose (all which are omitted in the Earl of Clarendon's History), also a full account of all the transactions in England during that time, written in French by Robert Monteith of Salmonet.' Burton, *The Scot Abroad*, ii. p. 37.

³ *Theses theologicae in Academia Salmurienti pars prior*, p. 135. Salmurii 1631, 4to.

himself he says, 'Nevertheless, honourable birth and education, the patterne of worthy acts, and the immortall memorie of renowned ancestors, either in church or policy, communicated to the emulous posteritie for imitation is not the least portion of inheritance.' His father it would appear was still living shortly before 1635.

In 1615 he entered the University of Glasgow, and in 1619 took the degree of M.A. He probably went abroad shortly after his graduation. Impelled by a thirst for arts and science and attracted by the reputation of Saumur for learning and the practice of virtue and piety, and probably on the recommendation of Robert Boyd, he found his way thither in 1625. Shortly after his arrival he was appointed Professor of Eloquence, a chair which then existed in most French Universities.

In 1628 he published *Apologia | Criticae. | In quâ brevitur huius facultatis vtilitatis osten- | duntur, quaeque contra eam objici | solent, diluuntur | Auctore Niniano Campbello Scoto | Corvalliensi, Eloquentiae in Academia Salmuriensi | Professore. |* [Woodcut with motto Vincit Amor Patriae] | *SALMVRII |* Ex Typographia Ludovici Gyyoni | M.DC. xxviii. | 4to. 24 pp. A. 1-F. 2 in twos.¹

It is dedicated to Mark Duncan, Gymnasiarch or Principal of the University (*Academia*) of Saumur. He refers to Trochrig and Cameron as masters of Theology, and Duncan as completing a triumvirate. He mentions that in a recent illness he had been attended by Duncan with unremitting care and skill. He speaks of *Episcopus Argilensis* as a friend eminent in theology. This was no doubt Andrew Boyd, parson of Eaglesham, a natural son of Robert, Lord Boyd, and bishop of Argyle and the Isles from 1613 to 1636.

The *Apologia* deals in generalities. Theology is preferable to all philosophy. The Critical art supplements all science.

After referring to learned men he says :

'Quibus adiungo Buchananum nostrum Solduriorum more socium, Poetarum quot-quot posterioribus seculis claruere facile Principem.'

It concludes with a poem (*Phaleucum carmen*) presented to Duncan as a Strena, he having been present at an Oration on Astrology recently made by the author.

Hinc in astriferos feror meatus,
Dulcis gloriolae memor solique

¹ There is a copy in the Advocates' Library. The dedication is dated 1st June 1628.

Natalis, numeros canem perennes.
Aut qualis cecinit Maro Latinus
Ille magniloqua parens Camoenae
Vt hic lacteola parens loquela
Noster Georgius ille Buchananus
Scotorum decus eruditorum,
Et quot sunt hominum Venustiorum.

Campbell resigned his chair at Saumur in 1629 and returned to Scotland. On his way through Paris in August of that year he composed an Elegy to the memory of Scaevola Sammarthanus, that is, Gaucher de Sainte-Marthe, known as Scaevola—a French orator, jurist, historian and poet, 1536-1623.

From a remark in the Address to the Reader prefixed to his *Treatise upon Death*, in which he speaks of many thousands falling on every side of him, it may perhaps be inferred that he was at Saumur during a period of plague.

On his return to Scotland, Campbell was next year, 1630, nominated minister of the upland parish of Kilmacolm in the county of Renfrew, and underwent the usual trials by the presbytery in the month of March and was approved 'willing, apt, and able to use and exercise the office of minister within the Kirk of God.' He was accordingly admitted to the charge on 8th April, 1630.

Kilmacolm, as I remember it, fully fifty years ago, was a small quiet village of thatched cottages and with such limited opportunity for intercourse with other places, that 'out of the world and into Kilmacolm' was a proverbial expression. Two hundred and thirty years ago it must have been still more secluded, as the roads which now traverse the parish did not then exist.

Ninian Campbell must have found it a great change from the town life of Saumur to the isolation of Kilmacolm, from the warm climate of Anjou to the moist atmosphere of the Renfrewshire uplands; and speaks of 'his admission to this painful and dreadful cure of souls.'

He seems, however, to have applied himself diligently to his parish duty, and took an active part in the work of the presbytery. He himself states that 'one special point of my charge is to visit those good Christians over whom I watch at their last farewell to this world, that I may render a joyful and comfortable account of them to my Maker the great Shepherd of the flock.'

N

The Earls of Glencairn were the principal heritors in the parish of Kilmacolm, and their seat, Finlaystone House, is within easy walking distance of the village; there seems to have been considerable intercourse between the Earl and his family and the minister.

The inheritor of the title at the date of Campbell's appointment to the parish was James, the sixth Earl. In 1574 he married a daughter of Colin Campbell of Glenurquhay to whom the minister may have been related. She died in 1610, and shortly afterwards he married Agnes, daughter of Sir James Hay of Fingask, and widow of Sir George Preston of Craigmillar.

He had a numerous family. One of his daughters was Lady Margaret Cuninghame, whose life was the subject of a curious piece printed and edited by Charles Kirkpatrick Sharpe.¹

Another daughter, Lady Mary, married John Crawford of Kilbirnie.

The Earl of Glencairn died in 1631 when the parish minister wrote a Latin Elegy to his memory.

The minister's patron—Archbishop Law—died at Glasgow upon 13th October, 1632, and was buried in the cathedral of Glasgow, where his widow, Marion Boyle, erected a handsome monument to his memory.² On this occasion also Campbell composed an Elegy, which he dedicated to the city of Glasgow.

Campbell was an adept in Latin verse and occupied his leisure at Kilmacolm in writing occasional poems.

Besides his Elegy on the Archbishop he composed in 1632 a poem addressed to the University of Glasgow. He had not forgotten the University, as in this year he subscribed 40 merks towards the building fund of the University.³ In the same year he also composed two Elegies on the death of William Blair, M.A., minister of Dunbarton.

William Blair was a graduate of Glasgow and a contemporary of Campbell and no doubt his friend. He was for some time a Regent in the University, an office which he held when he was

¹ *A Pairt of the Life of Lady M. Cuninghame, daughter of the Earl of Glencairn, which she had with her first husband the Master of Evandale.* Edinburgh 1827, 4to.

² The Archbishop's son was Thomas Law, the well-known minister of Inchinnan, and his grandson was Robert Law, minister of East Kilpatrick, the author of *Memorials or the memorable things that fell out within this island of Britain from 1638 to 1684.*

³ *Munimenta Universitatis Glasguensis*, iii. p. 475.

The parish here given is 'Kilmartin,' but this is evidently an error of transcription as there never was a Ninian Campbell minister of that parish.

appointed to the parish of Dunbarton. He gave 50 merks towards the building of the Library House of the University. His brother was the famous Robert Blair, minister of Ayr, 'precious Mr. Robert Blair,' as he is styled by John Livingston.¹

Another friend—William Struthers—sometime minister of Glasgow, and afterwards of Edinburgh, died in 1633, and Campbell wrote an Elegy to his memory.

A similar Elegy was written in honour of John Rose,² poet, philosopher and theologian, minister of Mauchline; to whose memory Campbell also composed an Epitaph. Both were written in 1634.

In 1635 Campbell published

A Treatise upon Death; First publicly delivered in a funerall Sermon, anno Dom. 1630. *And since enlarged*, By N. C. Preacher of God's word in Scotland at Kilmacolme in the Baronie of Renfrew.

(Text Hebr. 9. 27)

Edinburgh. Printed by R. Y. for J. Wilson, Bookseller in Glasgow, Anno 1635. 12mo. pages not numbered. Signatures A. 1-H. 8 in eights.

Of this I have a copy, and there is an imperfect copy in the Advocates' Library which formerly belonged to the Rev. Robert Wodrow, minister of Eastwood.

The substance of this treatise the author explains was 'first publicly delivered by me in a Sermon at the buriall of an honourable Baron with his religious Ladie both laid in their grave at once, whose names of blessed memorie I conceal from thee, for such reasons as I thought good. Which meditation surely I had buried with them, or at least closed up in my study, if not the good opinion of conscionable and zealous hearers had raised it up again from the grave of oblivion, by their diligent search and lecture of manuscripts here and there dispersed far from my expectation & former intention. So that I was forced to review and inlarge the originall copie by the advice of my learned and much respected friends; such as reverend prelats, doctours and pastours of our church, who have best skill in such matters of spirituall importance.'

¹ *Brief Historical relation of the life of Mr. John Livingston*, p. 4, 1737, 4to.

² Rose graduated M.A. at Glasgow in 1606, and was presented to the parish of Mauchline in 1621, and died in 1634 aged 48. Robert Baillie, Professor of Divinity, 1642-1661, speaks of him as 'borne and bred with us, a brave poet.' *Letters*, ii. p. 402.

The 'honourable baron and religious lady' were John Crawford of Kilbirnie and Lady Mary Cuninghame before referred to.

In a MS. volume of genealogies by Robert Mylne (? 1643-1747), the sharp-tongued poet and antiquary, the following information is given regarding them :

'John Crawford of Kilbirnie and Lady Cuninghame died both in ye month of November 1629, and were interred the same day.'

In a Latin Epitaph at the end of the volume Campbell says that not only the father and mother, but also their son all died in one and the same month, the son first, the father next, and the mother third—and were all buried in the one tomb. He has also a Latin dirge to the eternal memory of Crawford, who he indicates died suddenly.

Although the deaths took place in November 1629, the funeral sermon was not delivered until next year, when the burial no doubt took place. This is explained in the Preface before the Sermon itself, where the author speaks of 'embalmed corpses.'

The *Treatise*, as the author explains, is an expansion of the funeral sermon, and as it stands is a disquisition on death in general, something after the style of Cicero, *De Senectute*. Probably as originally written it was merely an address to the mourners assembled at the funeral service.

Prefixed to the sermon as printed there is a curious 'Preface before Sermon.'

'Ye are all here conveened this day to performe the last Christian duties to a respected and worthy Baron, with his honourable Lady, who both have lived amongst you in this land, and whose embalmed corps, both yee now honour with your mourning presence, and happy farewell to their grave. I am here designed to put you all in minde by this premeditate speech, that the next case shall be assuredly ours, and perhaps when we think least of it. Therefore that I may acquaint these who need information in this point with the nature and matter of such exhortations, let them remember with me that there are two sorts of funerall sermons, approved and authorized by our reformed churches in Europe: the first whereof I call for order's sake, *Encomiastick* or *Scholastick* because it is spent in the praise of the defunct, and only used in schooles, colledges, academies and universities, by the most learned; And this is ordinarily enriched with pleasant varietie of strange languages, lively lights of powerfull oratorie, fertile inventions of alluring poesie, great subtilties of solid Philosophie, grave sentences of venerable fathers, manifold examples of famous histories, ancient customes of memorable peoples and nations; and in a word, with all the ornaments of humane wit, learning, eloquence; Which howbeit I might borrow for a while, yet I lay them down at the feet of Jesus, and

being sent hither not by man, but by God, whose interpreter and ambassadour I am, I prefer before them the smooth words of *Moses*, the stately of *Esay*, the royall of *David*, the wise of *Salomon*, the eloquent of saint *Paul*, and the ravishing of saint *John*, with the rest of divine writers, God's pen-men out of whose inexhausted treasure of heavenly consolation, and saving knowledge, I wish to be furnished with the secret preparation of the sanctuarie, and to be accompanied with the full power and evidence of the spirit of my God. For there is another second sort of funerall sermons, which I call *Ecclesiastick* or popular, viz. when the judicious and religious preacher, only for the instruction and edification of the living, frequently assembled at burials, and earnestly desiring at such dolefull spectacles to be rejoyced in the spirit of their mindes, taketh some convenient portion of scripture, and handleth it with pietie, discretion, moderation, to his private consolation, the edification of his hearers, and the exaltation of the most high name of God. So that having no other ends but these three, and taking God to be my witness that I abhor all religious or rather superstitious worship given to the dead, and being naturally obliged to come here, and oftentimes requested by my near and dear friends, yea abundantly warranted by these who have the prioritie of place in church government above me, and as it seemeth by your favourable silence, and Christian attention, invited to speak, I have purposed by the speciall concurrence, and assistance of the spirit of my God, to deliver unto you a brief meditation upon death. Pray ye all to God to engrave it by the finger of his all-pearching spirit in the vive depth of my heart, that again by way of spirituall communication, I may write it upon the tables of your hearts (as it were) with a pen of iron, and the point of a diamond, that both preacher and hearer may lay it up in their memories, and practise it in their lives and conversations. And I entreat you all (and most of all these who are of a tender conscience) I entreat you I say, in the tender bowels of mercie, not to misconstrue my coming hither, which ought rather to be a matter of singular comfort, then of prejudged censure; a matter of profitable instruction, rather then of envious emulation; a matter of pious devotion, then of repining contention. I think not shame, with the glorious apostle to preach in season, and out of season, for the converting, winning and ingathering of soules. I do not say this, That I consent to these who contemne and condemne altogether such meetings for albeit I would confesse unto them, that the time, place, and persons were extraordinarie (as indeed they may seem to these who have not travailed out of their paroch churches, or seen forrein countries) yet the customes of the primitive church (see *Nazianzen*, *Ambrose*, *Jerome*, etc.) and of our reformed churches in France, Genevah, Germanie, upper and lower, in great Britaine, and elsewhere, maketh all three ordinarie; and the subject of this present meditation, viz. *Death*, proveth the same to be common.'

The concluding paragraph of the sermon is apparently much as it was when addressed to the congregation :

'O happie couple above the eloquence of man and angel ! Many a loyall husband and chaste spouse would be glad of such an end. And what

an end? Let the envious Momus, and injurious backbiter hold their peace, and let me who stand in the presence of God, and in the face of his people, and in the chaire of veritie, tell the truth : to wit, That honourable Baron whose corps lyeth there in the flower of his yeares, in the strength of his youth, in the prime of his designes, even when young men use to take up themselves, is fallen, and mowne downe from amongst us, like a may flower in a green meadow.

His vertuous Lady who having languished a little after him, howbeit tender in body, yet strong in minde, and full of courage, took her dear husband's death in so good part, that shee did not give the least token of hopelesse and helplesse sorrow. Yet wearying to stay after her love, she posted after him, and slept peaceably in the Lord, as her husband before her.

This, Noblemen, Gentlemen, and men of account amongst us have assured mee. So then, as neither the husband's ancient house, nor his honourable birth, nor his noble allye, nor his able and strong body, nor his kinde, stout, liberall minde, nor the rest of the ornaments which were in him alive, and which recommend brave gentlemen to the view of this gazing world, could keepe him from a preceding death. So neither the spouse's noble race of generous and religious progenitours, nor a wise carriage in a well led life, nor the rest of her womanish perfections, could free her from a subsequent death, both due to them and us for our sins. God hath forgiven theirs ; God forgive ours also. They have done in few, all that can be done in many yeares ; They have died well : God give us the like grace. In the mean time, their reliques and exuvies, *terra depositum*, shall lye there amongst other dead corps, of their forebears and aftercommers, all attending a general resurrection : And their souls the best part of them, *coeli depositum*, have surpassed the bounds of this inferior world, and are carried upon the wings of Cherubims and Seraphins, to the bosome of *Abraham*, for to change servitude with libertie, earth with heaven, miserie with felicitie, and to bee made partakers of that beatifick vision, reall union, actuall fruition of our God, in whose presence is fulnesse of joy, and at whose right hand are pleasures for evermore. How shall we then conclude, but with a hopefull and eternall farewell, till it please God, that wee all meet together on that great day, on Sion hill, and go into these everlasting tabernacles of the temple of the most High, in the holy citie, supernall *Jerusalem*, amongst the Hierarchies of that innumerable companie of Angels, the generall assemblie and church of the first borne, written in heaven by the finger of God, and the blood of the Lambe? When and where they with us, and we with them, and the whole multitude of the militant and triumphant Church, reunited under Christ the head, shall be fully and finally glorified.'

The language of the minister is no doubt florid, but the English is good and shows how the language was handled by an educated Scotsman.

The Elegy to the University of Glasgow written in 1632, already mentioned, is likewise addressed 'to the learned men

who were present at the funeral,' so that it may be inferred that the wise John Strang, the Principal, and some of the Regents were present on the occasion.

All the elegies and poems before referred to are appended to *A Treatise upon Death*.

In 1636 Ninian Campbell addressed a long poem to the memory of Patrick Forbes, 1564-1636, bishop of Aberdeen, which is printed in *Funerals of a right reverend Father in God Patrick Forbes of Corse, bishop of Aberdeen*,¹ a memorial volume to his worth by Aberdeen doctors and by many of the most eminent men in the kingdom.

In the meantime the Glasgow Assembly of 1638 had been held, and the signing of the Covenant was very eagerly pressed in every parish. Lady Ann Cuninghame, sister of Lady Kilbirnie, who married James Hamilton, Lord Arran, afterwards second Marquis of Hamilton, was in later life an ardent supporter of the Covenant. On 30th August, 1638, Ninian Campbell was called upon by the parishioners of Kilmacolm to 'solemnly swear that he was neither dealt with nor would suffer himself to be dealt with to be perverted against the Covenant, *nec prece, precio nec minis*.'² Subsequently the Covenanters took up arms and the presbytery of Paisley did their part in providing preaching for the soldiers on the field. In 1641 Mr. Campbell was appointed to this duty; and again in 1644 he was instructed by the presbytery to go to the army now in England and supply there as minister till he was relieved and that 'in my Lord Loudon's regiment.' He did not, however, go and was summoned before the presbytery in January, 1645, to hear himself censured for his negligence.

The Solemn League and Covenant between Scotland and England had been drawn up and energetic measures were taken to have it subscribed in all parishes. It was read and expounded from the pulpit on three successive Sundays, and all were thereafter called upon to sign. It was reported at a meeting of the presbytery of Paisley on 4th January, 1644, that none within the several parishes had refused to subscribe.

¹ P. 377. Edinburgh 1845, 8vo. Spottiswoode Society.

² Murray, *Kilmacolm*, p. 50. Paisley 1898.

I am indebted to this interesting work for the account of Mr. Ninian Campbell's ministry at Kilmacolm.

Ninian Campbell was not a very zealous Covenanter and had to be frequently rebuked for lukewarmness. In 1650 he was instructed to speak to the officers of the Covenanting army that they receive no soldier without sufficient testimonial. After their defeat at Dunbar all the ministers in the Presbytery were instructed to summon from the pulpit all who are 'fitt and able for service against the enemie, to enrol their names and to offer themselves cheerfullie and willinglie to the work.'

The people of Kilmacolm were much more zealous than their minister, and about this time some of the most serious elders in the parish wrote a letter to the ever memorable Samuel Rutherford of Anwoth in which they bewail the deadness of the ministry at Kilmacolm, that they are not sufficiently roused by the terrors of the law, and that the young are in fear of backsliding. Rutherford replied pointing out that it is no true religion which is dependent on the character of the minister; 'it will not be bad for you for a season to look above the pulpit and to look Jesus Christ more immediately in the face.' In other words, while he admits that he had heard that their minister was not everything that could be wished, he advised that they be more concerned about their own personal religion.

Ninian Campbell was more popular elsewhere. On 2nd January, 1651, a Commission representing the presbytery of Dunbarton and the parishioners of Rosneath appeared before the presbytery of Paisley and laid on the table a unanimous call sustained by the presbytery of Dunbarton together with reasons why he should be transported from Kilmacolm to Rosneath. After discussion the presbytery on 20th February found: 'that Mr. Ninian Campbell, being a native hielander, was skillfull in the Irysch language, and that the paroch of Rosneth, or a great part thereof did consist of inhabitants who only had the Irysch language; they did find also that the said Mr. Ninian had no small inclination and disposition to preach the gospell to the people of his own country and native language, and considering the Act of the General Assembly anent ministers in the lowlands who have the Irysch language, therefore they did, for these and other reasons, transport the said Mr. Ninian Campbell from the paroch of Kilmacolme to the paroch of Rosneth, and appointed Mr. James Taylor to goe to the Presbytery of Dunbrittane at their first meeting to see how he may be well accommodat in the parish of Rosneth, and to desyre the Presbytery of Dunbrittane to be cairfull thereof, and appointed Messrs John

Hamilton and James Taylor to goe to the paroch of Rosneath the day appointed by the Presbytery of Dunbrittane for the said Mr. Ninian's induction into and receiving of the charge of the ministry there, to countenance the same and be witness thereto.'

The appointment of Mr. Ninian to the parish of Rosneath was very different, it will be observed, from that of his appointment to Kilmacolm. He was collated to the latter by the Archbishop of Glasgow; he was called to Rosneath by the voice of the people in whom the right had been vested by the Act of 1649, which abolished patronage.

The finding of the presbytery of Dunbarton that 'the parish of Rosneath or a great part thereof did consist of inhabitants who only had the Irish language' seems to have been a pious exaggeration, as there was drawn up at this time for the satisfaction of the Synod a roll of persons in the parish who could speak the Gaelic only. No more than thirty-six persons were found to be in this position, upon which the presbytery declared that Gaelic was not a necessary qualification for a minister of Rosneath, if one could be found otherwise suitable. Questions were still outstanding as to the boundaries and position of the newly erected parish of Row and its representatives protested against adding those who spoke Gaelic to their congregation.

It may be mentioned, however, that when it was proposed to settle the Rev. James Anderson¹ as minister of Rosneath in 1722, great difficulties were raised on account of his inability to speak Gaelic, as there were then twenty-six heads of families in the parish who could not speak English, and the matter was compromised by the heritors undertaking to procure a Gaelic schoolmaster who would act as a catechist.²

Campbell seems to have lived quietly at Rosneath, and probably as a native Highlander enjoyed the opportunity of using the Gaelic language in which he was so skilful.

He died at Rosneath on or about 11th March, 1657, aged 58, survived by his widow and a son then in minority.

His library was estimated to be worth £100 Scots.

We also know that he was proprietor of the three merk land of Carreask and Ballingoune in the lordship of Cowal and sheriffdom of Argyle, on the security of which in 1656 he

¹ James Anderson, it may be remembered, was father of John Anderson, 1726-1796, professor of Natural Philosophy in the University of Glasgow and founder of the Andersonian Institution.

² Irving, *History of Dumbartonshire*, p. 412. Dumbarton 1860, 4to.

borrowed from Cornelius Crawford of Jordanhill the sum of £745 Scots.¹

The *Treatise upon Death* is of bibliographical interest. There was no printer in Glasgow until the year 1638, and the numerous works of Zachary Boyd and of other Glasgow authors had to be printed in Edinburgh or elsewhere. It is evident, however, that the Glasgow booksellers were beginning to think that if a press was not set up in Glasgow, at any rate Glasgow should appear as the place of publication. Accordingly the imprint of the *Treatise upon Death* shows that the book though printed in Edinburgh was published in Glasgow by John Wilson, bookseller there.

In the preceding year Wilson had published,

Trve | Christian | Love | To bee sung with any of the |
common tunes of the | Psalms. | [Quotation] | Printed by I. W.
for John Wilson, and are to be sold at his shop in Glasgow.
1634.

The author was Mr. David Dickson.

I. W. stand for John Wreittoun, printer in Edinburgh, who was also the printer of some of Zachary Boyd's works and of those of Sir William Mure of Rowallan.²

Robert Young, the printer of Campbell's *Treatise*, commenced printing in Edinburgh in 1633 and was the printer of the famous Prayer Book of 1638, rendered memorable by the Jenny Geddes incident.

Campbell was on terms of intimacy both with Zachary Boyd and David Dickson. They were members along with the Earl of Argyle, the Earl of Eglinton, the Earl of Wigton, the Laird of Keir, Sir William Mure of Rowallan, and many other notable persons, lay and clerical, of the Commission of 1639 for the visitation of the University of Glasgow.³

DAVID MURRAY.

¹ See Crawford v. M'Cailzone, 28th November, 1663. 2 B.S. 311.

² Murray, *Bibliography; Its Scope and Methods*, p. 74.

³ *Munimenta Universitatis Glasguensis*, ii. p. 457.

Samian Ware and the Chronology of the Roman Occupation

FOR obvious reasons the research of new archaeological material cannot at present be pursued on the same scale as it was some years ago. This may turn out to be a blessing in disguise; it has at least given us an opportunity to take stock of our accumulations. In that department of Roman ceramics which is concerned with *terra sigillata* or 'Samian' ware—there are still many who prefer a misnomer to a barbarism—two systematic and comprehensive works have recently appeared. One of these is of capital importance for the study of the early occupation of Scotland; it is Knorr's treatment of the decorated ware of the first century,¹ in which the author has put together material scattered through the half-a-dozen monographs he had previously published on collections from particular sites. The other is the work of two English archaeologists—Dr. Felix Oswald and Mr. T. Davies Pryce.² Their handsome and richly illustrated volume covers the whole subject, and is the most comprehensive work of its kind in English or, indeed, in any language.

It is a measure of the extent to which our accumulated material has tended to outgrow our power, or opportunity, to organise it that the description 'comprehensive' should apply to a work which deals with one aspect (the chronological) of one type of product of a single branch of industry within one restricted area of the Roman Empire. The general student has only to turn over the eight and twenty pages of bibliography which he will find in this volume to realise what an arduous undertaking it was to compose a chronological account of the Samian ware industry

¹ Knorr, *Töpfer und Fabriken verzierter Terra-Sigillata des ersten Jahrhunderts* (Stuttgart, 1919).

² *An Introduction to the Study of Terra Sigillata*, by Felix Oswald and T. Davies Pryce: pp. xii, 286, with eighty-five plates. Longmans, Green and Co. 1920. £2 2s. net.

as a whole. Bibliographical apparatus is no proof of scholarship, least of all in History and Archaeology, but it is clear from every page of this book that its authors have conscientiously explored the whole range of their authorities from Fabroni and Roach Smith to the latest work of Knorr. There is only one qualification to make. We are now able to trace more clearly than we were the continuity of the Samian ware industry through the second half of the third century to its partial revival in the fourth, and to localise this revival at the old pottery centres on the upper Aisne and Meuse—Lavoye, Les Allieux and Avocourt. The evidence as to this has recently been summarised by Unverzagt in his discussion of the pottery of the fourth century fort at Alzei in Rheinhessen.¹ This work had reached Dr. Oswald and Mr. Pryce in time to find a place in their bibliography and to give occasion for a brief appendix (IV), but too late for the material it contains to be incorporated in the structure of their book. As it is, their section on 'Marne' ware and their scattered references to the products of the fourth century have a detached and accidental character, their systematic treatment stopping short at the middle of the third century. Still, the collapse of the industry about that date was so general that its subsequent history does have very much the character of a detached incident. As for the authors' treatment of the industry during the main period of its activity, it is systematic in a high degree. They have fitted into a well articulated framework a prodigious mass of detail, none of which is irrelevant to their purpose.

Since the special value of Samian ware is its usefulness as an index to date, the purpose of the authors is to present the products of the industry according to an exact chronological classification. The chronology is based, as they explain, on properly determined 'site-values,' and accordingly they preface their account with a table of dated sites. It must be remembered, however, that many of the dates are themselves inferred from Samian ware, and that some of them are by no means certain. Mr. Bushe-Fox's Cerialis date for Carlisle, for example, has been rejected by the late Professor Haverfield and by Mr. Donald Atkinson in *Transactions of the Cumberland and Westmoreland Archaeological Society*, N.S., XVII, a reference to which should have been given under 'Carlisle,' while Mr. Atkinson's section of that article (on the Samian stamps, *ibid.* pp. 241-50) might have been included

¹ W. Unverzagt, *Die Keramik des Kastells Alzei* (Frankfurt a. M., 1916).

in the bibliography. Another example of doubtful dating—and one which will interest the readers of this *Review*—is the lower limit assigned to the early occupation of Newstead. It was Professor Dragendorff¹ who first questioned the date proposed by Dr. George Macdonald and Mr. James Curle (the end of Trajan's reign). He suggested instead an early-Trajanic date, and many, perhaps most, English archaeologists have ranged themselves on his side. Dr. Oswald and Mr. Pryce go further, and stoutly assert (p. 43) that the occupation was 'a short and practically Agricolan one.' That dating cannot stand against Dr. Macdonald's analyses of the Newstead coins and of the coins of Roman Scotland as a whole,² to say nothing of the structural evidences he has accumulated to show that the history of the Newstead-Inchtuthil line was not that of Agricola's Forth-Clyde *praesidia*. As a matter of fact, Dr. Oswald and Mr. Pryce appear to have repented of their temerity, for the Newstead references in the text often relate to late, not early, Domitianic ware, still oftener to ware described as 'of the Domitian-Trajan period.' The more tenable, and commoner, statement of Professor Dragendorff's view is that which will be found repeated in the newly published Report on the excavations at Slack, near Huddersfield,³ viz. that 'the early period at Newstead ends, *at latest*, in the first decade of the second century.' An obvious difficulty about this date is that it does not fit into our historical framework. This, however, is not the place to go into the various evidences. What does invite discussion here is the evidence, the negative evidence, of the Samian ware, upon which this date is based.

That the bulk of the Samian ware of the first occupation reached Newstead well before the end of the first century is not in dispute. It is what one would expect. The Newstead supply would go north with, or in the wake of, the troops, or would be made up in the early years of the occupation. It is solely with replacements we are concerned in fixing the lower limit of this occupation—or rather with such replacements as arrived latish in the occupation and yet themselves got broken and were cast away and left on the site. That is a narrow field

¹ In *Journal of Roman Studies*, i. (1911), p. 134.

² In *Proc. Soc. Ant. Scot.*, lii. This is an opportunity to draw the attention of students of the Roman period to the importance of Dr. Macdonald's article.

³ *Excavations at Slack, 1913-1915*, by P. W. Dodd, M.A., and A. M. Woodward, M.A. Reprinted from the *Yorkshire Archaeological Journal*, vol. xxvi.

of evidence. And here we must remember that along the frontier South Gaulish ware was carefully treasured and had a remarkably long life, and that Newstead, after campaigning in Caledonia had come to an end, was a remote and solitary station, separated from the main military area by what must have been a very dangerous zone in the later years of Trajan's reign and offering far too meagre a market to invite risk. It is not surprising that fragments of the early ware at Newstead were found to have been mended with a leaden clamp. The interpretation of pottery evidence is not a simple matter of parallel-hunting. Every site has its peculiarities, and in Trajan's reign Newstead would be in quite an exceptional situation. A rough analogy is perhaps given by the Forth-Clyde forts in the later part of the Antonine occupation. The Samian ware of the Wall is, in the mass, ware of the reign of Pius. Fortunately we are saved by the positive evidence of a few coins from unduly restricting the period of occupation on the negative evidence of the Samian ware. The presence of these coins warns us that the rarity of ware definitely assignable to the reign of Marcus cannot be taken to indicate more than that there may have been little trading connection with the south after the troubled years round about 160. To suppose that the Roman hold on Southern Scotland was more or less precarious in the reign of Marcus, that the idea of an early evacuation was perhaps already in the air, would be quite in keeping with our evidence as a whole. Certainly the troops no longer built for permanence.

Even if we do judge Newstead by more favoured sites, what does the evidence amount to? The marks of Trajanic date for Lezoux ware accumulated by Dr. Oswald and Mr. Pryce are meagre in the extreme, and most of them will be found to dissolve under analysis. The authors themselves usually refer specimens quite loosely either to the Domitian-Trajan period or to the Trajan-Hadrian period. With their Domitian-Trajan ware we need not trouble, since the reference given is usually to Newstead. From their Trajan-Hadrian ware we must exclude the products of potters who belong in Scotland to the Antonine occupation (Censorinus, Divixtus, Iuliccus, Reginus) and narrow the field to ware later than any found in the first occupation at Newstead and earlier than that found on our Antonine sites. Now ware typologically intermediate between the latest ware of the first occupation at Newstead and Antonine ware cannot be said to be common anywhere, and most of what has been identified

is East Gaulish. In Britain we are little concerned with East Gaulish ware, at least in the pre-Antonine period, but whether East Gaulish or Lezoux, such intermediate types are so exceptional in our province that it may be doubted if much Samian ware was exported to Britain between the decline of the La Graufesenque potteries and the full development of the Lezoux industry. How much Samian ware at Wroxeter or Corbridge or on Hadrian's Wall itself or in the whole province, for that matter, can be confidently dated between (say) 107 and 127? And how much again of that can be referred strictly to the Trajanic half of that period?

The comparative material from Slack is instructive in this regard. Slack was first occupied about the same time as Newstead. The terminal date is uncertain; the excavators, who will not allow us an odd seven or ten years elbow-room at Newstead, help themselves to the handsome margin of fifteen or twenty years at Slack—from a date early in Hadrian's reign to the year 140. If 140 be the correct date (as the present writer is inclined to think it is; see the Coarse Ware), then Slack has only three or four scraps of Samian ware to show for the whole of Hadrian's reign. Anyhow, the site was certainly occupied beyond the reign of Trajan, for one of the coins dates 118 and there is an altar dedicated by a centurion of the Sixth Legion. Now the few potters' stamps at Slack are all Flavian, and the plain ware in general (it is not dealt with in detail) seems to answer to the corresponding ware at Newstead. When we turn to the decorated ware, we find that seven-eighths of the significant pieces can be paralleled from Flavian sites, and of these the majority are paralleled at Newstead. If we eliminate the Hadrianic pieces from the remainder, we have exactly *two* examples for the whole of Trajan's reign. One of these (pl. XXI, E = p. 48, No. 7) is compared for its general style to pieces from the Bregenz Cellar find. But pieces which are not only in the same style but reproduce the actual decorative elements of the Slack fragment occur at Newstead (Curle, p. 207; cf. p. 211, No. 4). We are left with a single bowl of Libertus (*Slack*, pl. xxi, N) as the only piece of Samian ware not paralleled at Newstead that Slack has to show for its Trajanic occupation. And if Newstead cannot boast of a Libertus bowl, yet it has certainly produced more fragments than Slack which might quite well have reached the site in Trajan's reign. Yet Slack, unlike Newstead, was situated at

the base of the military area on the direct road connecting the legionary headquarters of York and Chester. When one remembers that the series of known events authorises no terminal date for the early occupation of Newstead between the recall of Agricola and the disorders with which Trajan's reign closed, when one considers the evidence of the coins and the mass of pre-Antonine finds from Newstead and Camelon, as well as the structural evidences from the Newstead-Inchtuthil line as a whole; and when, finally, one estimates the negative evidence of the Samian ware with due regard to the evidence of other British sites of the same date and to the exceptional situation of Newstead, the reasonable conclusion remains that stated years ago by Dr. George Macdonald and Mr. James Curle, viz. that a hold was maintained on Newstead till the close of Trajan's reign. If Dr. Oswald and Mr. Pryce care to add that during the last ten years or so of this occupation, little or no Samian ware was being traded over Cheviot, well and good. It is more than probable.

The Newstead controversy initiated by Professor Dragendorff brings into clear relief the uncertainty of the evidence of Samian ware on its negative side. Negative or positive, indeed, its evidence is always liable to be misleading *when taken by itself*. That is a fact that Dr. Oswald and Mr. Pryce should have emphasised sharply, not slurred over, knowing, as they do, how empiric in its method much of our archaeology is. There is no reason now to fear that the value of Samian ware will be underrated. Its value is established. Often it is the only guide to date that we have. When it can be brought into relation with other evidences, and especially with an historical framework such as inscriptions and texts provide, its value is immense. It now forms an integral part of our Roman studies, and therefore every student of the Empire has reason to be grateful to Dr. Oswald and Mr. Pryce for having marshalled in orderly procession myriads of details (and the details are everything) accumulated by direct observation in our museums or drawn from hosts of monographs and periodicals, most of them foreign and many of them not easy to procure. The illustrations alone represent a great achievement of exploration, judgment and selection. The authors have done a service not only to the student but to the subject, for by presenting us with a framework to which new acquisitions can be related as they are won, they have done much to ensure that the progress of our knowledge in this department shall be a systematic growth. Nor is it only the archaeologist

who is in their debt. The historian also will find here much material to invite speculation. That is an indulgence the authors deliberately deny themselves. Once only do they break their self-imposed rule; it is to remark that the later products of Lezoux 'furnish a graphic illustration of the gradual barbarisation of the Empire' (p. 20). But Lezoux ware was the ware of the north-western frontiers, and is no test for the whole Empire. In the Rhone valley (to say nothing of the Tiber) they would have none of it. It is hardly a fair measure even for the Arvernian, who made this ware for export. If Samian ware in the Arvernian's hands became a cheap and nasty article, that was because the people along the frontier were becoming Romanised, not because the Arvernian was becoming barbarised. What he was becoming was commercialised. That was in some ways a bad thing, no doubt; but do Dr. Oswald and Mr. Pryce seriously maintain that the Arvernian was a less civilised being in the Antonine period than in the Flavian period? One can only suppose that here again the authors have been momentarily hoodwinked by Professor Dragendorff, who possesses in a high degree the German gift of seeing in the Romanisation of the barbarian nothing but the barbarising of the Roman.

S. N. MILLER.

Reviews of Books

A HISTORY OF THE BRITISH ARMY. Vols. IX. and X. 1813-1815. By the Hon. J. W. Fortescue. Pp. xxv, 534 ; xviii, 458 with volume of 30 maps. 8vo. London : Macmillan & Co. 1920. 84s.

WHEN, more than twenty years ago, Mr. Fortescue published the first instalment of his great enterprise he hoped to carry his story to 1870 in another couple of volumes. The twenty years have seen no less than eight more volumes from Mr. Fortescue's pen, to say nothing of four separate volumes of maps, and it is still a far cry to 1870. Indeed, Mr. Fortescue suggests that he may perhaps find it necessary to call a halt at the point to which these volumes have taken him, since, as he points out, the remuneration he has received for his labours is hardly calculated to encourage him to continue ; indeed, it has largely been through the help given him by his appointment as the King's Librarian at Windsor that he has been able to carry his story down to 1815. It is to be hoped he will continue his valuable work, but it would have been particularly regrettable had he not been able to complete the story of Wellington's campaigns, more especially because what stands out as specially valuable in his treatment of the Waterloo campaign is that Waterloo has been to him no separate and disproportioned study, but that he sees it as one among Wellington's many campaigns, brings to the study of Wellington's ideas and actions in 1815 a profound knowledge of the Duke's strategy and tactics, and realises how very much the Duke owed at more than one critical moment in the campaign to the fact that he was face to face with opponents like Ney and Soult, whom he had beaten so often that they were under the influence of the moral ascendancy he had established over them. The mere fact that it was Wellington whom Ney was facing on the morning of June 16th caused the French Marshal to people the apparently (and really) lightly held Quatre Bras position with imaginary red-coats, hidden but ready to spring into activity directly he launched his attack and capable of withering his columns with the deadly musketry Busaco had taught him to respect.

Mr. Fortescue might perhaps have made even more use of his study of the Peninsula when dealing with the 1815 campaign. A noticeable feature in Wellington's strategy in Spain and Portugal is his fondness for the outflanking movement ; these volumes contain the most remarkable and outstanding examples of it, the campaign and battle of Vittoria, and the manœuvres by which the Duke forced Soult away from Bayonne in 1814 by threatening his flank. It was because he knew the peculiar vulnerability of his position in 1815 to anything like an outflanking movement against his right

that the Duke displayed that anxiety about that flank which contributed to delay his concentration on June 15th (though the main responsibility for that delay lies on the shoulders of the Prussians who failed to give their ally adequate information), which again caused him on June 18th to leave a strong detachment at Hal. Mr. Fortescue curiously enough has not brought out the most probable explanation for that puzzling episode, though he tells how the Duke told Colonel Woodford, the staff-officer whom General Colville had sent over from Hal for orders on the morning of June 18th, that it was already too late for Colville's division to reach the field. The Duke never expected the battle to be prolonged until the close of the day ; he was expecting the Prussians to be up and in line hours earlier than they were and, as Mr. Fortescue shows, with better staff-work on Gneisenau's part in arranging the march the Prussians might have been on the field at two o'clock.¹ Had this happened the battle would have been decided before Colville could have appeared. Mr. Fortescue rightly says that it is 'hardly profitable' to speculate on 'the possible issue of the fight had the Prussians failed to appear,' because Wellington 'only accepted battle on the understanding that Blücher would support him,' though he makes a good point, not usually properly appreciated, that at the time of the final attack by the Imperial Guard Wellington had still a considerable part of his reserves in hand.² Quite apart from Chassé's Dutch-Belgians, of whose claim to have defeated the Imperial Guard Mr. Fortescue says very little but pretty obviously does not think much, there were two British cavalry brigades and two Hanoverian infantry brigades 'practically untouched,' while, in addition to Adam's strong and thoroughly effective brigade, four other battalions of British infantry were far from as exhausted as the rest and were certainly fresher than any French troops except the Old Guard.

Wellington's 'admirable husbandry of his reserves' is a point of which Mr. Fortescue rightly makes much, and the Duke's mastery of the art of tactics is certainly well illustrated by the battle of June 18th. As Mr. Fortescue says, 'throughout the long agony of eight terrible hours the Allied line was literally pervaded by Wellington,' he 'said himself that he personally had saved the battle four times and if he had said forty times he would not have overstated the truth.'³ Certainly as far as tactics go Napoleon cuts a poor figure at Waterloo in comparison ; Mr. Fortescue is fully justified in condemning the French attacks as 'incoherent,' 'what Napoleon himself would have called *décousus*.' Whatever the initial responsibility of the Emperor's subordinates for the more salient blunders, like the formation of d'Erlon's corps or for the wasteful attacks on Hougoumont, a most conspicuous example of the abuse of Marshal Foch's great principle of 'economy of forces,' there can be no question that Napoleon took no steps to interfere with either. Judging by Waterloo alone, Mr. Fortescue has ample justification for calling the Duke 'Napoleon's equal, if not his superior, in the actual direction of a battle.'⁴ It is a bold saying, no doubt, but after all it is not in tactics that Napoleon was at his greatest, and Wellington's greatness as a tactician is generally

¹ x. pp. 340-342 and 412.

² x. p. 416.

³ x. 411.

⁴ x. 409.

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admitted even by those who have not studied the Peninsular War closely enough to appreciate the soundness and the daring of his strategy.

Waterloo, though the most controversial and to most people the most familiar and absorbing of the topics covered in these volumes, does not exhaust the interest of Mr. Fortescue's pages. He gives a much clearer account of the complicated operations in the Pyrenees than Napier does, his map of this is a great help, and the recent publication of an exhaustive French account by Captain Vidal de la Blache has resolved many doubts as to the doings of our adversaries. Mr. Fortescue might have shown how admirably Wellington's operations illustrate the principles laid down in *Field Service Regulations* for the conduct of an outpost screen, but he happens to be unusually brief in his comments on this particular operation. Of the Vittoria campaign and of Wellington's invasion of France he gives excellent accounts, which again owe much in lucidity to the copiousness and excellence of the maps. Wellington ran many risks in the operations which culminated in Toulouse, but it is interesting to notice how thoroughly he had taken the measure of Soult at this time and how he suited his strategy to the conditions and to his opponent.

Apart from the operations in which Wellington was concerned, Mr. Fortescue has not much to tell. There are the unsatisfactory operations of Murray and Bentinck on the East Coast of Spain, Bentinck's capture of Genoa in April, 1814, Sir Thomas Graham's expedition to Holland and his attempt on Bergen op Zoom and the closing stages of the American War. Mr. Fortescue gives an excellent and sympathetic account of Graham's doings; he was unfortunate in his allies, Bülow's Prussians, who left him very much in the lurch and he had some very indifferent material under him, battalions which were full of raw recruits with relatively few officers of experience. To Bentinck Mr. Fortescue is perhaps less than fair. Bentinck was more of a politician than a soldier, and his interference in Italian politics was insubordinate, wrong-headed and doctrinaire, but his expedition to Genoa is rather scantily treated. Mr. Fortescue should not have fallen into the error of stating that the 14th Foot occupied Genoa in December, 1813, the letter he quotes from the *Castlereagh Correspondence*¹ is obviously wrongly dated and belongs to January, 1815, not 1814. We wish also that Mr. Fortescue could have found a little more space for two other out of the way and unfamiliar episodes: the doings of the rocket-battery of the Royal Artillery which represented Great Britain at the 'Battle of the Nations' at Leipzig and the adventures of the detachment of the 35th Foot who joined the Austrians on the Adriatic in 1814. The American campaign he tells very well; there is indeed no other good modern account of Pakenham's repulse at New Orleans, and it is interesting to notice that the usual version of the text-books about the Americans 'repulsing Wellington's veterans' is hardly accurate. The two battalions who failed in the assault were not Peninsular veterans, one had been in the Peninsula, it is true, but had been sent back as a skeleton and had been filled up with recruits, the other had never been under Wellington at all. Similarly, though many Peninsular battalions had reached Canada

¹ Cf. ix. p. 482.

before the operations on the Great Lakes ended hardly any of them arrived in time to be seriously engaged.

A long chapter on the organisation, recruiting, discipline and interior economy in general of the Army during the period 1803-1814 is a valuable piece of work, and by no means the least interesting in the book ; indeed, one would have been glad of more on this subject ; more statistics as to numbers, as to the distribution of the Army, proportion of foreigners and similar things would have been appropriate and welcome. In a work of such length and dealing with so many matters of detail absolute accuracy is extraordinarily hard to attain, but Mr. Fortescue seems to have fallen rather below his own standard in this respect, for these errors are unusually numerous and it is hard to understand how he came to overlook the particulars about Darmagnac's German brigade at Vittoria ; they are fully given in Commandant Sauzey's *Les Allemands sous les Aigles Françaises*.

C. T. ATKINSON.

CAPTAIN MYLES STANDISH : HIS LOST LANDS AND LANCASHIRE CONNECTIONS. A new investigation. By the Rev. Thomas Cruddas Porteus, B.A., B.D., vicar of St. John the Divine, Coppull, Lancashire. Pp. xii, 115. Cr. 8vo. With 8 Illustrations. Manchester University Press. 1920. 3s. 6d.

THIS little volume in its paper cover is a pleasantly written study of one of the Pilgrim Fathers associated with the men of the 'Mayflower,' who founded the colony of New England in the early part of the seventeenth century. Much has been written about the expedition in 1620, and the ancestral homes and later fortunes of its members. There is a wealth of mystery about Captain Myles Standish, by no means the least insignificant of the so-called Pilgrims, touching his religion, pedigree and lost estates. Mr. Porteus has set himself the task to clear up what other writers have left obscure about the hero of his choice, and he has achieved considerable success. A curious feature of Captain Standish's character may be gathered from the contents of his library, to which a chapter has been devoted. There are several interesting illustrations—one of which, that of the hero himself from an American painting, is fitly placed as a frontispiece to the volume—a bibliography, and a meagre index.

JAMES WILSON.

EXTRACTS FROM NEWCASTLE-UPON-TYNE COUNCIL MINUTE BOOK, 1639-1656. Pp. xxiv, 243. With one Illustration. 8vo. Newcastle-upon-Tyne : printed for the Newcastle-upon-Tyne Records Committee by the Northumberland Press. 1920.

CERTAIN members of the Society of Antiquaries of Newcastle-upon-Tyne have formed themselves into a committee for the purpose of publishing a series of annual volumes dealing with the records of Durham, Northumberland, and Newcastle-upon-Tyne, and this volume of extracts from the Newcastle Council Minute Book for the years 1639 to 1656 is the first fruit of their public-spirited undertaking. The transcription of the records has been carried out by Miss Madeleine Hope Dodds, who has also written

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the introduction to the volume and prepared the index. It is regrettable that in so many cases borough records are imperfect; pre-Reformation minutes and others having been destroyed by fire and accident and general neglect. These extracts usefully supplement the information which is contained in local histories. Newcastle in the period dealt with was even then a busy coal port, and the Council worked their own coal. The town was not then wholly industrialised, and the cows of the burghers were still driven daily to the common pasture. An interesting agreement is given *in extenso* dated 1653 between the mayor and burgesses and Robert Hunter, the town's neatherd, for regulating his duties during both summer and winter seasons. Many glimpses are obtained of the troubles, financial and administrative, which afflicted the town of Newcastle during the Cromwellian period.

It is proposed that the volume for 1921 shall consist of abstracts in English from the Curia Regis Rolls, to be edited by Mr. A. Hamilton Thompson, F.S.A.

ROBERT LAMOND.

STUDIES IN STATECRAFT, being Chapters Biographical and Bibliographical, mainly on the Sixteenth Century. By Sir Geoffrey Butler. Pp. viii. 140. 8vo. Cambridge University Press. 1920. 10s.

THIS short book—the title is not a very happy one—contains five studies and two bibliographies: (1) on Rodericus Sancius of Arevalo, 1404-1471, Bishop of Zamora, the castellan of St. Angelo at Rome under Pope Paul II., with special reference to his dialogue on peace and war, and a bibliography of his writings; (2) on the alleged monarchial opinions of the French civilians in the sixteenth century; (3) on William Postel, 1510-1581, the French oriental scholar and political idealist, with a revised, but not original, bibliography of Postel's writings; (4) on Sully and his Grand Design; (5) on Le Nouveau Cynée of Emerich Crucé.

The most original of these studies is the first. Sir Geoffrey Butler has rescued an interesting man from oblivion, a man who has an indirect connection with the Renaissance in England. His dialogue on peace and war—in which the interlocutors are Bishop Roderic himself and the papal biographer, librarian and humanist, Platina—survives in a manuscript now in Corpus Christi College, Cambridge. Sir Geoffrey Butler thinks that it was brought to Canterbury by Sellinge, prior of Christ Church. It afterwards came into the hands of Archbishop Parker. Unhappily the dialogue is rather trivial, of no great importance to students of the Renaissance. It is to be regretted that Sir Geoffrey Butler, instead of giving it unmerited importance before an elaborate political background, did not make it the occasion of a wider treatment of Roderick's works, especially of his popular *Speculum humanae vitae*. Moreover, Sir Geoffrey's analysis of the humanist circle in Rome during the pontificate of Paul II. is not quite convincing. He involves the whole group in the movement, surely not very serious, originated by the disgruntled abbreviators, and does less than justice to that very attractive leader of the Roman Academy, Pomponius Laetus.

The brief essay on the French civilians, reprinted from the *English Historical Review*, is timely and helpful. Sir Geoffrey Butler sets himself to correct the facile impression that professors of Roman law in the sixteenth century were thorough-going apologists of absolutism. He might have pointed out that the traditions of the law schools in Italy were still less committed to monarchical doctrines unrelated to the political exigencies of the Middle Ages. To see this, one need only read the admirable essay on Bartolus, written by the late Mr. Cecil Woolf, especially the pages on Bartolus' commentary on the law of the Digest relating to the Decuriones, and their 'ambitiosa decreta.' Reference to medieval thought would also have helped to give proportion to Sir Geoffrey Butler's essay on William Postel. The hard-faced legists who gathered round King Philip the Fair of France, nearly three centuries earlier than Postel's day, were also familiar with the conception of world peace through world power, and like him, though in a very different spirit, were not uninterested in oriental studies. But they, perhaps, are not fit company for the attractive, disinterested, crackbrained scholar whom Sir Geoffrey sketches with such sympathy.

The last essays are slight. The paper on Le Nouveau Cynée adds nothing to the work of Crucé's American editor,¹ and the more elaborate study of Sully and his Grand Design is a skilful résumé of the conclusions of Charles Pfister and other writers on this famous theme, with the additional suggestion that Sully interpolated the project in his memoirs and attributed it to Henry IV. in order to 'provoke the little men of the succeeding generation to salutary thought as might still save the State.' Even if this view be accepted it does little to increase the practical significance of the Grand Design. Sully was doubtless a better balanced man than the Emperor Maximilian I., but they seem to have been alike in their capacity for solemn self-glorification. When as great a man as Henry IV. did arise in France, he unhappily preferred other methods of salvation than the method of the Grand Design.

Sir Geoffrey Butler's book is good reading for an idle day, but, in spite of its rather pretentious title-page and its impressive manner, it is not a serious contribution to the history of statecraft. Those who wish to see a discussion of the ideas of Postel, Sully and Crucé in a general setting should turn in preference to Christian Lange's *History of Internationalism* (1919). Sir Geoffrey Butler presumably has no illusions on the subject. One reader at any rate, while grateful to him for the pleasure which these essays have given, hopes that he will concentrate upon the French civilians. A good monograph is needed on their political thought in its varied relations with contemporary history and learning, and Sir Geoffrey Butler would seem to be well qualified for the arduous task of writing it.

F. M. POWICKE.

¹ A study of Crucé, which I have not seen, has recently been written by M. Louis Lucas.

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A HISTORY OF EVERYDAY THINGS IN ENGLAND, 1066-1799. Written and Illustrated by Marjorie and C. H. B. Quennell. In two parts. Pp. xiv, 208 ; xii, 208. 8vo. With 200 Illustrations. London : B. T. Batsford, Ltd. 1920.

THIS is a creditable effort to capture young recruits for the study of antiquity. There is a regular gallery of drawings, 191 plain and 9 beauti-

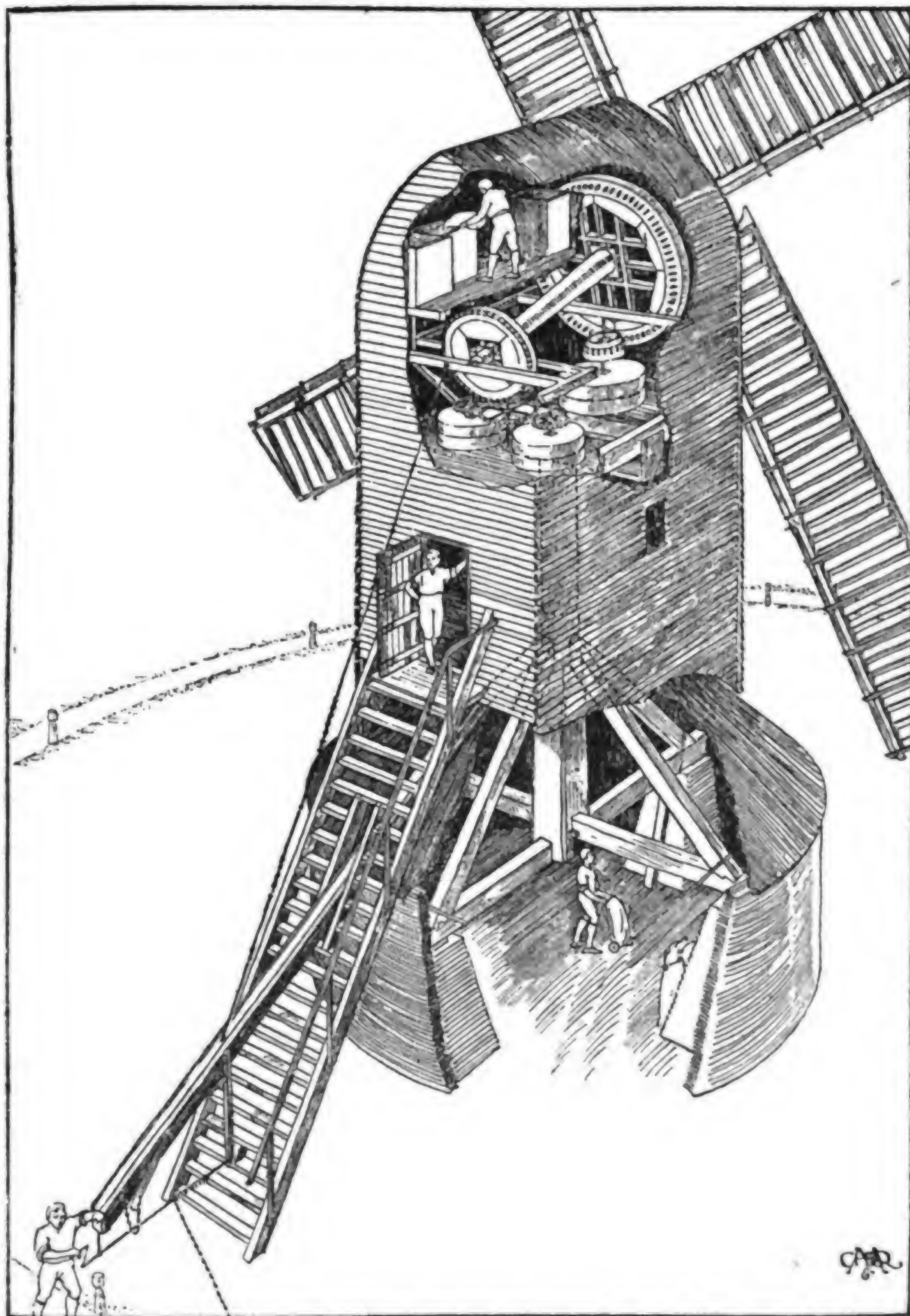


The Great Hall.

fully coloured, representative of English life across the ages. Almost all of these follow originals or sound models, and the result is a fairly effective picture of the house, the castle, the court, the church, the ship, the chase, the games, the soldiering, and the industry, as well as the everyday, sabbath-day and holiday life of the land from the fabulous age of Arthur down to the eighteenth century. The coloured illustrations are, for the most part, representations of costume in different centuries. The text is written

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for the comprehension of youth, and the author's own technique is trimmed to that pattern, and the work is well-suited to allure the schoolboy and lay

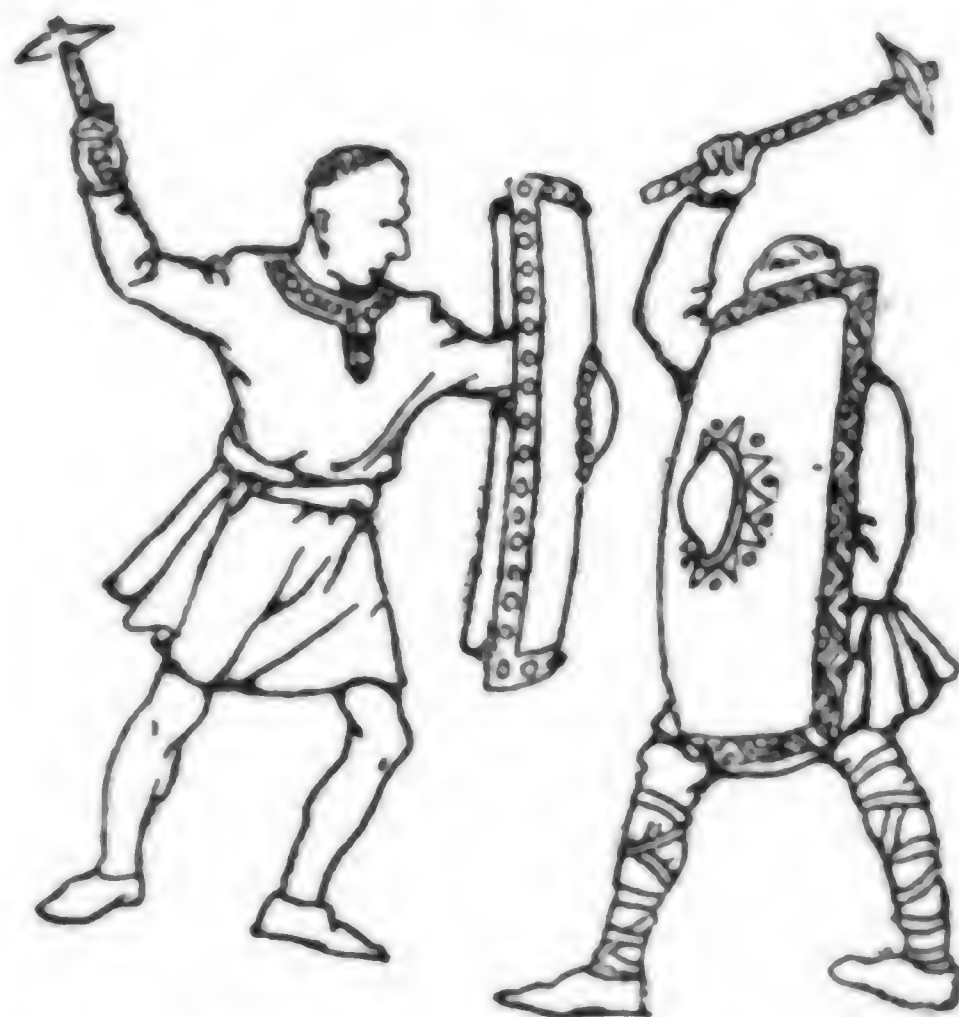


A Windmill in Essex, to illustrate early mechanism of windmills.

the foundations of an antiquary. There are numerous extracts from Pepys' *Diary* in the account of the seventeenth century ; these refer to the ordinary life of a household, and bring out in a very vivid manner the ways

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of a Londoner in Pepys' time. Agreeable examples of the artistic revisualising of the past occur in the figures here by permission reproduced. The illustration of the thirteenth century duel of Walter Blowberme and Hamo le Stare would have been better had it adhered more faithfully to



A Judicial Combat.

the figure which Professor Maitland had photographed for his first volume of *Pleas of the Crown*.

The idea of the book is capital and is fairly attained. History is not mere politics, it has all life for its province, and 'everyday things' are standard memories.

CATALOGUE OF THE ROMAN POTTERY IN THE MUSEUM, TULLIE HOUSE, CARLISLE. By Thomas May, F.S.A., and Linnaeus E. Hope, F.S.I. (Reprinted from the *Cumberland and Westmorland Antiquarian and Archaeological Society's Transactions*.) Pp. 85, with 19 Plates. 8vo. Kendal : Titus Wilson & Son. 1917.

THE Museum contains a collection of Roman pottery found in Carlisle or on neighbouring sites on the Wall of Hadrian. Altogether 194 items are catalogued and described in detail. These consist of complete vessels or decorated fragments in Terra Sigillata, as well as a considerable number of examples of pottery in coarse wares. There are appendices containing lists of potters' names on Terra Sigillata, on Mortaria, and Amphorae. The description of each item is full, with many references to parallels at home or on the Continent ; indeed, the piling up of references, especially in dealing with potters' stamps, tends to become somewhat confusing. The stamp CRICIROF on a platter, Dragendorff's type 18, is assigned to a potter working at Banassac or Lezoux A.D. 70-140. The series of references terminates with one showing that a potter of this name was working at Trier A.D. 175-225. We are told that the style of the Trier potter is different from that of the Central Gaulish potter, but as Dragendorff's type 18 had gone out of fashion long before A.D. 175, the reference is of no value for the identification of the fragment now in Carlisle.

The earliest Sigillata belongs to the Flavian period, to which the first occupation of Carlisle must be assigned. There are also specimens of this

Catalogue of Roman Pottery, Tullie House 215

ware from Central and East Gaulish kilns operating in the second century. Among the coarser ware, examples carry the series down to the fourth century. One fragment of a white flagon is assigned to a period before the middle of the first century, but it seems doubtful whether any of the pottery is earlier than the reign of Vespasian. The plates, on the whole, are good, especially the drawings of vessels of coarse undecorated wares. We regret that the authors did not sum up the evidence to be obtained from an examination of the pottery as a whole. A comparison of the collection with those of Silchester and York, which have both been dealt with by Mr. May, might have afforded some interesting information on the different sources of supply of these towns, and the areas of distribution of native potteries.

JAMES CURLE.

DUMBARTONSHIRE : COUNTY AND BURGH FROM THE EARLIEST TIMES TO THE CLOSE OF THE EIGHTEENTH CENTURY, forming Part II. of a Revised History of Dumbartonshire. By John Irving. Pp. 143-350. Quarto. Dumbarton : Bennett & Thomson. 1920.

THE author of this revised history of Dumbartonshire, originally written by his father sixty years ago, has divided it into three parts published separately : I. Dumbarton Castle, II. The County and Burgh, and III. Its Industries.

This volume, Part II., starts with early Roman history, with which Dumbarton, being at the west end of the wall of Antoninus, naturally had a close connection. Apart from the sculptured relics the author mentions and describes, mostly of a military nature, there are few social traces of the Roman occupation, and almost none in place names.

One chapter deals with the Saints and other ecclesiastical crusaders, many of whom came over from Ireland to missionize Scotland in early times, and it is one of the mysteries of Irish history how St. Patrick, their patron saint, came to be born in or near Old Kilpatrick.

To the general reader Mr. Irving's chapter on clan warfare will bring the touch of lively adventure and romance. He fights the Battle of Glenfruin (the Glen of Sorrows) over again. He might perhaps have made a little more of it, because, though it happened so long ago as 1603, the Dumbarton boy of the present day is not allowed to forget it. What rankles in his mind is the cold-blooded massacre by the Macgregors of the Dumbarton students who came out to see the fun, and the tradition is that the stone where the deed was done, *Leck-a Mhinisteir*, or the Minister's Flagstone, can never have its blood stains washed away.

The murder of the students is perhaps a myth ; for the indictment upon which the 'Rhoderick Dhu,' who was their leader, in reality Allaster Macgregor of Glenstrae, and four of his companions were tried and afterwards executed, charges them with the slaughter of seven score Colquhouns, Macfarlanes and others, among them Tobias Smollett, bailie of Dumbarton and ancestor of Roderick Random—but not a word about the Dumbarton bairns.

Everybody knows that the Macgregors were, for their predatory exploits both before and at the battle of the Weeping Glen, put to fire and sword,

hunted and harried, and forbidden to bear their own name. Their clan, the clan McAlpine, though descended from kings was taboo, and many of them disguised themselves as Campbells, Grahams and the like, but never as a Colquhoun or a Macfarlane. The blood feud was too strong for that. And later there came their great deliverer, Sir Walter Scott, who has done more to remove the black mark against them and to create a literary glory for Dumbartonshire and the Lennox country than either the Macgregors or Dumbarton knows.

Mr. Irving records the fact that the missing Charter of Confirmation by James I. to the town of Dumbarton, 1609, has been found, and in a somewhat curious way. In 1907 there was a litigation connected with a claim by the Parish Minister of Dumbarton for a glebe, which went from the Sheriff Court to the Court of Session. In Edinburgh during the hearing of the case it was discovered to be in the possession of Edinburgh University, to whom it had been bequeathed by Dr. David Laing, the well known antiquarian. Mr. Irving says it was never ascertained how it came into Dr. Laing's possession. One has a fairly good idea. It was known in Dumbarton to have gone to Edinburgh as a number of process in a litigation with the town many many years ago—1813—and had never returned. Dumbarton brought an action against the University [1909. *I.S.L.T. (O.H.)* 51], got the charter back on condition of paying expenses as a kind of storage rent all these years.

Dumbartonshire is a fine county, and possesses in this book a good history. 'This country,' says Tobias Smollett in *Humphry Clinker*, 'is justly styled the Arcadia of Scotland. . . A perfect paradise, if it were not, like Wales, cursed with a weeping climate. . .'

P. J. BLAIR.

DAVID URQUHART. *Some Chapters in the Life of a Victorian Knight-Errant of Justice and Liberty.* By Gertrude Robinson, with an introduction by F. F. Urquhart. Pp. xii, 328, and 5 Illustrations. 8vo. Oxford: Basil Blackwell. 1920. 20s. net.

DAVID URQUHART was preeminently a man who might have made history. After reading this account of his activities—as the author truly says it is not a biography—one wonders why he hardly left a mark at all. Perhaps the reason is that single-handed he tried almost consciously to mould history, in an age peculiarly unsuited to such an attempt.

In the time in which he lived the soil was most unreceptive for seeds such as a prophet like Urquhart had to sow; but the reader of these memories cannot but feel that Urquhart's own nature was largely responsible for his failure. He would have rated very highly the importance of the individual in history, and, though he would probably not have recognised it in so many words, perhaps highest of all the opinions of David Urquhart. From the very earnestness with which he believed in his own convictions, he was contemptuous and intolerant of the opinions of others; there were no half-tones, every deed and policy was either white or black, right or wrong. He, Urquhart, had no doubts, so none could exist.

He started life with little in the way of position to help him and with his nature one is not surprised to find him very soon developing a talent for

knocking his head against a stone wall, and so ending any hope of bringing his influence to bear on British or foreign policy from within. Not being dependent on his own efforts for a livelihood, he was able to devote his life to the attempt to influence, from without, the political methods of his time.

He was an idealist and a prophet but he was almost a practical statesman as well. He possessed in an unusual degree the personality which fascinated others and impressed them with the justice and importance of any scheme on which he might at the time have concentrated his energies ; a man who could persuade the leaders of Chartists and revolutionaries to abandon their schemes of personal betterment in favour of a system of self-education and international development by means of committees of working men to study foreign policy, was capable of being a power in the land.

Urquhart's knowledge of European politics was startling ; he travelled often and widely. Wherever he went he showed the same power of seeing below the surface and getting behind the scenes ; he was an Englishman and a Protestant and yet when in Turkey he became a Turk and so important was his influence that for the rest of his life he never altogether lost it. When he was in Rome, he became the ally and leader of Cardinals, meeting the Pope and almost succeeding in passing a policy of his own through a Vatican Council. So many and so complex were the threads that he held in his hands that statesmen from Britain, Cardinals from Rome, Viziers from Turkey all came to visit him in his chalet on the lower slopes of Mount Blanc, and came not to give but to receive information in regard to their respective charges.

His views never lacked in originality, and his habit of showing the merits of politics not commonly popular in his country, enabled him to utter several prophecies the accuracy of which was almost astounding in after years to those who had heard them.

Urquhart strove for the establishment of a law of nations ; in any civilised nation law was supreme. If any man sinned against the law he was punished according to the law, but as between nations this was not so. This Urquhart considered subversive in the long run of all morality, public and private ; the fact that, though in essence might was right, it was generally considered advisable by the nation which planned aggression (in Urquhart's mind this was always Russia) by means of tortuous diplomacy to give some cloak of virtuous intention to their deeds, did not make matters better. He proposed, as the only remedy, the re-introduction of religion into politics. The only source from which he could hope to influence politics through religion was the Papacy, to the Papacy therefore he turned, and though never a Catholic, he was, for the later years of his life, in constant and intimate touch with the internal politics of the Vatican, because through it he saw his only chance of reforming the external politics of Europe.

With this idea as his foundation Urquhart regarded Italy from a point of view very different to that usually adopted by the English historian. The states of the Church must remain. In order to set a standard and example to the nations, it was necessary that the Pope should be also a temporal sovereign. He had the advantage of not being an hereditary sovereign.

He was priest as well as king, typifying the standing of religion in politics, and because his temporal kingdom was so insignificant he could have no ambitious projects in this world and for that very reason his moral influence would be all the greater, and in addition, he carried behind him the whole weight of the influence of the Roman Catholic Church. With these views then, Urquhart looked with no favourable eye on the aspirations of Victor Emmanuel, on the plottings and deep laid plans of Cavour. Garibaldi was to him what recently D'Annunzio has been to us.

The book is almost too condensed, and yet it is obviously incomplete, so that one hopes a fuller attempt will be made to write a life of Urquhart. His points of view are very different from those commonly taken in this country, and whether right or wrong, they were those of a very able man who spent his life and energy in the pursuit of a noble ideal.

HAMISH A. MACLEHOSE.

WILLIAM BOLTS. *A Dutch Adventurer under John Company.* By N. L. Hallward, M.A. Pp. x, 210. 8vo. Cambridge : at the University Press. 1920. 15s. net.

THIS book is a veritable mine of interesting extracts, but unfortunately no adequate references are given. Despatches received from the governor of Bengal, consultations of the Council and intercepted letters, all are quoted at length, but the author does not make it clear whether the MSS. materials which he has used are to be found in Calcutta or at the India Office ; even printed authorities are treated in the same way, Verelst's *Bengal*, Bolts' own writings, and other books are freely used, but reference is seldom made to the page from which the extract is taken. It is a little disappointing too that the number of quotations has prevented the author from thrashing out some of the interesting minor problems connected with Bolts' career. Our appetite was whetted by the mystery of Bolts' appointment as alderman of the mayoral court of Calcutta, when he was actually suspended and even under threat of dismissal from the company's service. His accusation too, that the enmity of the council against him was merely the outcome of their private jealousy as rival traders, deserves further discussion.

Despite these small drawbacks the book is most interesting reading, for William Bolts was a skilful merchant and bold adventurer who entered the company's service as factor just at the time when Clive's victory at Plassy had brought Bengal within the grip of the company's servants. Bolts' career reflects the state of misrule and oppression which existed in Bengal before the reforms of Warren Hastings and the interference of Parliament in the affairs of the company. After six years of private trade Bolts had amassed such a fortune that he was able to resign his official position and to defy the orders of the council for two years longer, until in despair they deported him from India. Returning to England he set himself to ruin his enemies, and began a series of actions, notably against Governor Verelst, whom he succeeded in ruining. After becoming bankrupt himself he determined to seek fresh openings for his energy abroad, and trading on his Dutch descent he got into touch with the Empress Queen Maria Theresa.

His bold plans for reviving the Ostend Company, which had been such a thorn in the flesh to the English in the early days of the century, were favourably received, and Bolts reappears in India as a Lieut.-Colonel in the Imperial army and at the head of a trading expedition, to alarm the English by his intrigues with the French agent at Poona during the difficult days of the American War of Independence. But his scheme soon fell through, and Bolts disappears from fame to die a pauper in a Paris hospital in 1808.

The bold schemes of this industrious scamp have an interest beyond the mere record of travel and adventure, for Bolts' career just covers that great period of change in India from Clive's conquest of Bengal to the governorship of Wellesley, when Britain stood forth as the paramount power in India. And Bolts' part in this drama, though a minor one, is yet significant. He is the type of unscrupulous servant whose callous abuse of the right of private trade made the first years of the company's rule such a curse to Bengal; his intrigues with the Nawab of Oudh and the Dutch at Chinsura show the danger of a lax system of control over the Europeans in India; at home his vicious attacks on the company helped to swell the growing feeling against the Nabobs, and in favour of regulating the powers of the company; in India again he plays his part in the wide-spread system of intrigue which Warren Hastings was called upon to face. But it was all in vain. In the very year in which Wellesley completed his work, the Dutch adventurer, who had been the trusted adviser of an Empress, and had dreamed of an Austrian trade system stretching from Delagoa Bay through India to distant China, died in obscurity and neglect.

C. S. S. HIGHAM.

THE PLACE-NAMES OF NORTHUMBERLAND AND DURHAM. By Allen Mawer, M.A., Joseph Cowen Professor of English in Armstrong College, University of Durham. Pp. xxxviii, 272. 8vo. Cambridge : University Press. 1920. 20s. net.

FOR some years explanation of the meanings of the place-names on the map has been engaging the attention of some of the best of our English scholars. Not that it is a new study : the old writers in distant ages loved to interpret the vernacular names of places by giving them what they conceived to be their Latin equivalents. Gateshead was explained by Bede as *caput caprae*; Wulfeswelle by Simeon of Durham as *fons lupi*, and so the custom went on. Writers in modern centuries followed the prevailing usage, though Leland in this respect is more reticent than Camden. At the same period John Denton attempted an explanation, sometimes very fanciful, of many of the place-names of Cumberland in his topographical survey of that county. Etymology was a favourite recreation of some of the old antiquaries, as may be inferred from the table-talk at Monkbarns.

But the methods pursued in our time are more trustworthy than those which have gone before. The study of English place-names, says Professor Mawer, is steadily advancing in its methods and extent, and in his contribution to the science the general principles laid down by Skeat, Wyld and Moorman have been followed. The form of the name in the earlier

centuries is always investigated as a preliminary to its possible etymology. It cannot be too often urged that the history of the earliest forms in the vernacular is of the greatest moment. Names were not given to places by a syndicate of scholars : they were the natural outcome of folk-experience and folk-speech. For this reason folk-etymology should not be neglected.

Though we have a high opinion of Professor Mawer's industry and success in the elucidation of the place-names of Northumberland and Durham, we are not convinced that he has always discovered the right key to unlock the difficulties of some of his names. Haltwhistle may be taken as an example. In his researches he has carried back the form of the name to Hautwisel in 1240, and he shows that it varies little in subsequent centuries. In consequence, he regards the word as 'a hybrid compound of O.Fr. *haut*, 'high,' and M.E. *twisel*, O.E. *twisla*, 'fork of a river or road,' descriptive of the position of Haltwhistle on steeply rising ground between Haltwhistle Burn and S. Tyne.' Had Mr. Mawer known that an earlier form of the name, perhaps the earliest yet found, was Hachetwisel, he would have hesitated to regard the first element as French. It may be permissible to doubt that a name in use in Northumberland so early as about 1138 was likely to have had Norman influence in its formation.

The net result of Professor Mawer's survey of the place-names of the two counties is set out in his introduction, and it has some very striking features. The Celtic element is alleged to be no stronger than in most English counties, and a good deal weaker than in those on the Welsh Border. The Anglian conquest was so complete that the vast majority of the names are of English origin. On the other hand, the evidence of Scandinavian occupation is very weak, which is certainly surprising in view of its preponderance on the opposite side of the island. The French element, in our thinking, may be regarded as negligible. A name like Bewley, for instance, is ecclesiastical all the world over, a corruption of *Bellus Locus*, later, *Beaulieu* in French. Sometimes the traditional or vernacular name of the place was discontinued to make way for the monastic description of the situation.

The author of this book may be congratulated on his performance. It is one of the best on the subject of place-name etymology that we have seen. It cannot help but be welcomed by all philological students, especially by those in the counties of which it treats. Northern antiquaries are not slow to appreciate good work.

JAMES WILSON.

BRITISH BEGINNINGS IN WESTERN INDIA, 1579-1657. An Account of the Early Days of the British Factory of Surat. By H. G. Rawlinson, M.A. Pp. viii, 158. 8vo. With 10 illustrations. Oxford : Clarendon Press. 1920. 10s. 6d.

It is opportune that at this time Mr. Rawlinson's *History of the British Beginnings in Western India, 1579-1657*, should appear. The history of British India begins, with most of us, with Lord Clive and Warren Hastings. We had a vague idea that the record of the East India Company went further back than that period, but few of us realised that it went

back to the spacious times of Great Elizabeth. The discovery of the New World beyond the Atlantic heralded a period of amazing intellectual and material development. Western Europe was all alive. Spain, Portugal, France, Holland and, last in the race, England were all striving to gain a footing in the great Eldorado of the West. Columbus had gone out to find a way to Asia, and had stumbled unexpectedly on America, but India was as interesting as of old, and so English adventurers, finding their way there by the overland route, and getting permission from the Mogul Emperor, set up their small warehouses in Surat, about 160 miles from Bombay, planting themselves for the first time in that India, which in process of time their successors, the East India Company, ruled and continued to rule until in 1858 India became an Imperial Dominion.

It is a fascinating story of the early beginnings which Mr. Rawlinson tells in the graphic narrative style of one who knows his subject thoroughly and is in love with it. The book itself is well printed in good clear type, and, illustrated as it is with engravings and outline maps, forms a mine of useful information to those interested, as all of us ought to be, in the India in which at the present moment our Imperial rule is passing through one of the critical testing periods in its history.

ANDREW LAW.

COLLECTED PAPERS : HISTORICAL, LITERARY, TRAVEL, AND MISCELLANEOUS.

By Sir Adolphus W. Ward, Litt.D., Master of Peterhouse. 2 vols. Pp. xii, 408 ; pp. viii, 398. 8vo. Cambridge : University Press. 1921. 48s.

IN these two volumes the Master of Peterhouse has made a selection of his historical contributions to periodicals in the course of sixty years. Covering as they do such widely different subjects as Roman manners under the earlier Emperors, the Thirty Years' War, and Aims and Aspirations of European Politics in the Nineteenth Century, it is impossible to do justice to the erudition of the author.

Sir Adolphus has left the Papers as they originally appeared, and it is unlikely that later research has found much to criticise in them ; while the perfection of their style might well be taken as a model by most historical writers of to-day. Appearing as they do in 1921 it is to be regretted that the writer did not see his way to presenting an ampler postscript to the two papers which open the first, and conclude the second, volume. 'The Peace of Europe' and 'The New German Empire' will at once attract the attention of the reader distraught by the conflicting views of publicists on the question of how that peace is to be attained and maintained, but it must be admitted that from neither will he attain the guidance he looks for. In the first of these articles, written in 1873, it is shown that, when all possible allowance has been made for the beneficial effects of an International code, administered by a permanent International tribunal, 'only the dreamer will conclude that the peace of Europe . . . will be assured by such means.' The reason is obvious—none of these means remove or prevent 'the natural combativeness of man, the spirit of conquest, illegitimate ambition, desire for aggrandisement' which are among, if indeed they are not the principal, cause of war. If that was true in 1873 is it not equally so in 1921 ?

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In his closing paper on the New German Empire Sir Adolphus adds a postscript. He refers to an article by Professor Hans Delbrück in the *Preussische Jahrbücher* ascribing the blame for the agitation in favour of war, the U boat campaign, and the policy of annexation, to the Militarist Pan-Germanist tendency ; but, at the same time, charging the Social Democratic party with 'conjuring up the catastrophe in the very moment when everything depended upon keeping Germany's last forces together—the nation has followed false prophets ; but who is guilty, the false prophets, or the nation that put faith in them?' Sir Adolphus answers the question with a quotation, 'Les peuples ne sont jamais coupables,' and leaves it at that. Can the peoples, conscious of their own innocence, be quite sure that their elected prophets will, in future, be as little 'coupables' as history shows them to have been in the past?

BRUCE SETON.

THE CITY OF GLASGOW : ITS ORIGIN, GROWTH, AND DEVELOPMENT.
With 8 Maps and 8 Plates. Pp. iv, 79. Royal 8vo. Edinburgh : The Royal Scottish Geographical Society. 1921. 8s. 6d.

IN 1919 the Royal Scottish Geographical Society published an Account of the City of Edinburgh, illustrated by a series of maps, plans, and old views. They have now issued a similar book on Glasgow, though on a somewhat different plan. It consists of a number of short articles, written by different contributors, with a short editorial introduction. A compilation of this sort has its drawbacks. There is of course a lack of continuity, and a certain amount of over-lapping is unavoidable, as will be easily understood when we find that three of the articles deal with 'The Rise of Trade and Industry,' 'The Port and its Development,' and 'Overseas Relations.' On the other hand it has enabled the Society to avail themselves of the assistance of such authorities as Professor Gregory, Professor Bryce, Sir John Lindsay, Dr. George Neilson, and Mr. D. M. M'Intyre, of the Clyde Navigation Trust, whose co-operation could not well have been secured otherwise.

The articles, being written by experts, are both interesting and informative, while they afford ample food for reflection. The rise and progress of Glasgow, which are described succinctly but adequately, are attributed largely to the following causes : its Geographical position, the protection and influence of the Church, the opportunities afforded by the Union of the Crowns, and especially by the Union of the Countries in 1707. These, however, only gave the opportunity, and it was owing to the character of the people that they were able to avail themselves of these advantages, and to adapt themselves to the chances and changes that from time to time affected the commerce and industry of the place. We hope Professor Bryce, who contributes an article on 'The People of Glasgow,' will not think us frivolous if we say that it does not much matter whether the people of a city are dolichocephalic or brachycephalic so long as they are sufficiently hard-headed, and can avoid the malady of 'swelled head.' We hope, however, that the successors of the men to whose enterprise and exertions Glasgow owes its present position will lay to heart the warning contained in Sir Halford Mackinder's 'L'Envoi.' He there points out that our city owes its

greatness 'mainly to momentum from the past,' and that unless the workers of to-day recognise this fact they may find that they cannot continue to depend as at present on the 'running organisation and world wide good will which have come down to them from their predecessors.'

A feature of the book is the Maps by which it is illustrated. These are described in the article on 'The Cartography of Glasgow,' by Mr. J. Arthur Brown, to which is appended a very useful chronological list of Maps of Glasgow prior to the Geological Survey of 1857-62. A good map is often worth half a volume of description, and the growth of Glasgow can be best studied by an intelligent use of the maps. The improvement of the Clyde, for instance, and the consequent development of the Port, can be understood better by a comparison of the Map of 1920, which accompanies Mr. M'Intyre's article, with the Maps of Timothy Pont, 1595, and John Watt, 1734, than by any amount of letterpress.

T. F. DONALD.

HENRY VIII. AND THE ENGLISH MONASTERIES. By Cardinal Gasquet. Seventh edition. Pp. xlviii, 495. With 3 Maps. 8vo. London: G. Bell & Sons, Ltd. 1920. 16s. net.

THIS appears to be a reprint of the last edition of this well-known treatise, with a new preface added. The author has made no attempt to deal with the trenchant and detailed criticisms of Mr. G. G. Coulton, which are collected in his *Medieval Studies* (ii. ed. London, 1915). The failure to acknowledge errors in statement which Mr. Coulton has demonstrated, has the unfortunate effect of rendering suspect a study of an important question which has undoubted merits. The reader of the book in its present form is bound to verify the facts for himself before accepting the Cardinal's version. A candid admission of errors would not have been fatal to the Cardinal's thesis, and would have given the book an historical value which it cannot claim.

DAVID BAIRD SMITH.

Sir Geoffrey Butler has written a *Guide to an Exhibition of Historical Authorities Illustrative of British History compiled from the Manuscripts of Corpus Christi College, Cambridge* (8vo, pp. 16; Cambridge University Press, 1920; price 1s.). It is drawn up for the convenience of visitors only, but will gratify a wider 'audience' by its kindly and well-founded enthusiasm over Archbishop Parker's splendid collection bequeathed to Corpus Christi College in 1574. The contents of twenty-four items are popularly sketched.

Among recent additions to the series of 'Helps for Students of History' is *A Short Guide to some MSS. in the Library of Trinity College, Dublin*, by Robert H. Murray (8vo, pp. 63; London: Society for Promoting Christian Knowledge; 1920, price 1s. 9d. net). It furnishes general accounts of the glories of Trinity College Library, such as the noble and ancient Book of Kells, Book of Mulling, Book of Durrow, and Book of Armagh, which are the priceless and unique inheritance from Ireland's golden age of culture. Other documents described include sixty-six volumes of original record of the Inquisition at Rome (dealt with in a single confused paragraph,

very far from illuminating) and a series of depositions on the massacres and atrocities during the Irish revolt of 1641. These depositions are sketched by Dr. Murray with equal sympathy and critical insight. It is noted that the library includes the original draft of Archbishop Spotiswoode's *History*.

From the Carnegie Endowment for International Peace we have received Publication No. 17, entitled *American Foreign Policy*. (Pp. viii, 128. 8vo. Washington, D.C. 1920.) An introduction by the acting director, N. M. Butler, emphasises the need of the time for exact information as to the principles of American administration. This by way of preface to a collection of extracts, beginning with George Washington's farewell address in 1796, including President Monroe's 'message' in 1823, various papers on the Hague tribunal and the act of August 29, 1916, declaring it to be the policy of the United States to settle international disputes by mediation or arbitration, and authorising the President to invite a conference for that end of 'all the great Governments of the world.' This last academic production was, of course, before events determined the United States to come into the war.

Probably a long and possibly a great future lies before *The Antiquaries' Journal*, 'Being the Journal of the Society of Antiquaries of London,' of which the first number has just been published by the Oxford University Press. It is introduced to the world of archaeology by Sir Hercules Read, President of the Society. The plan is an extension of the former system of *Proceedings*, and the substituted periodical will contain all the matter of the older form, besides not only an adequate record of general archaeological discovery but also a review of current antiquarian literature. With this expanded commission accordingly the new magazine enters the lists—a royal octavo periodical of 80 pages, of which 57 are devoted to substantive communications by the Fellows, and the remainder to notes, reviews and obituaries. These initial contributions are worthy to mark the new departure equally with authority, distinction and variety.

First comes an elaborate study by Mr. A. W. Clapham of the Latin Monastic Buildings of the Church of the Holy Sepulchre at Jerusalem, with a large coloured plan of the church and priory as well as smaller *diagrammes de restauration*. Second in place, though not second in importance, is an interim report on the Exploration of Stonehenge, by Lt.-Col. W. Hawley, with a capital photographic plate of the whole stonecircle, thirteen sectional drawings, and four photographic plates of the actual processes adopted to readjust lintels and to straighten leaning upright stones by means of jacks. The discussion at the close is luminous, and the full significance of the investigation is brought out by the sketch-sections registering with precision the findspots of pottery, glass, flint implements and deerhorn picks. Evidently the Bronze Age, probably in its later phases, will make considerable claim to the authorship of the giant circle, but there will remain distinctions between the structure itself and the use made of its enclosures for cremation burials, so that much will depend on calculations of the lapse of time since first these imposing masses of stone were set in their place of wonder and mystery on Salisbury Plain. Th

third paper brings us to a Scottish theme : it is Mr. A. C. Curle's brief but lucid description of the discoveries at Traprain Law, with five illustrations of the hoard of silver now so famous in the annals of Scottish archaeological science. Essentially cognate to this is the next article by Mr. E. C. R. Armstrong on the beautiful although imperfect Irish Shrine of Killua, recently purchased by the Royal Irish Academy. It is made up of cast bronze plates with settings of amber and is semicircular. Its interlaced and spiral and zoomorphic ornamentation, the curious conventionalised male figure and face in the design, and the looped handles for carriage or suspension of the shrine have combined to sanction the provisional suggestion of an eighth century date. As yet the saint in whose honour it was made is unidentified, the place whence it originally came being unfortunately unknown.

Reviews and annotations come from competent hands. Among them is an informative notice of Prof. Tout's recent study of 'the Wardrobe' in the administration of England, and there is an important anonymous comment on a study by Hr. Lindqvist, calling in question Snorre Sturlason's dictum *circa* 1240 regarding the order of succession of types in Scandinavian funerals.

The new Journal makes a vigorous beginning, augury we hope of high service to research on antiquities for this century and perhaps the next.

History for January is chiefly noticeable for Commandant Weil's article on 'Guizot and the Entente Cordiale,' which prints for the first time two very elaborate and important letters exchanged in 1844 between Guizot, then Minister of France, and the Comte de Flahaut, French ambassador at Vienna. The relations between England and France had been dangerously sensitive for some time, and the object of the correspondence was to bring about a better understanding with Metternich, the great minister of Austria.

Notes and Queries for Somerset and Dorset contains in the number for September an important note on the 'Iron Grille over the grave of Mary Queen of Scots.' Mr. James Cross gives a reference to *The Times* of 29th July, 1920, recording the restoration to Westminster Abbey of the grille which James I. had put over his mother's grave. It was bought in 1826 by John Bridge, and installed at his residence, the Manor House, Piddletrenthide, near Dorchester. Purchased by the National Art Collections Fund, it has now been returned to its rightful place. To Mr. Cross's note the Rev. C. H. Mayo, one of the two editors of the magazine under notice, appends the following valuable corroborative extract :

'In the Catalogue of the Sale of the Collections of the late John Bridge and John Gawler Bridge at Piddletrenthide, on 20th Sept., 1911, and the two following days, the subjoined entry occurs in the second day's sale list, p. 32, lot 357 :—'An interesting 'Stuart' relic, in the form of the wrought iron railings, with scroll hanging for tomb lamp which formed the grave surround of Mary Queen of Scots, and was removed from Peterborough Cathedral, on the occasion of the body of Mary Queen of Scots being conveyed to Westminster Abbey by command of her son, James I.'

'This was purchased by Mr. John Bridge, July, 1826.'

Macmillan's Historical Atlas of Modern Europe. A Select Series of Maps, illustrative of the recent history of the Chief European States and their Dependencies, is an extremely useful collection of maps in colours, showing mainly the political and ethnographical features of European countries up to 1914, with a provisional Map of Europe after the Peace Treaty of 1919-20.

Professor Hearnshaw has written a full and careful introduction to each of the maps; the volume (London: Macmillan & Co., price 6s.) is one which should be of great use to students and to all who are interested in nineteenth century European History.

Dr. George Macdonald has written for the British Academy, *F. Haverfield, 1860-1919*, an admirably sympathetic and finely turned biographical notice and critical estimate. The dimensions of Professor Haverfield have been made much more perceptible by his death, which on many grounds was a disaster to Roman studies in the United Kingdom. Dr. Macdonald pays eloquent tribute not merely to the scholar but to the man.

In the *Juridical Review* (December) Mr. W. Roughead completes his 'familiar survey' of Poisoning as revealed in the Justiciary records of Scotland. One is glad to infer that the crime is not characteristic, and to welcome Mr. Roughead's release for happier themes. Mr. W. G. M. Dobie, writing on 'Law and Lawyers in the 'Waverley Novels,' has naturally no profound novelties for our entertainment, but by his many citations he abundantly justifies the profession's rather overweening belief that even wizards may owe much to the dark art and craft of the law.

Fraser's Scottish Annual, 1920, presents in popular form varied articles with a flavour thoroughly Scottish. A short sketch of Earl Haig of Bemer-syde with illustrations is followed by 'The Kilt and Bagpipes.' R. L. Stevenson's association with Burns through his great-grandfather, the Rev. Dr. Smith of Galston, is the subject of the last paper. There are contributions in verse, including 'Tir Nam Bean: Toast,' by Principal Sir Donald MacAlister.

The Iowa Journal for October devotes seventy pages to a full study and statement by Jacob Van der Zee of the work of the Iowa Code Commission created by the State Legislature in 1919. It is a somewhat instructive chapter of legal codification, being a record of discussion and drafting, which closes with a 'Compiled Code,' fully indexed, and now awaiting adoption, if fortune favours it, as the official code of the State in 1921.

The Caledonian (New York) for November reprints articles on 'Old World St. Andrews' and the 'House of Douglas.'

Notes and Communications

THE PASSAGES OF ST. MALACHY THROUGH SCOTLAND. Arising out of my notes on this subject (*S.H.R.* vol. xviii, 69-82), I should like with your permission to add by way of supplement some new impressions I have gained by correspondence with Professor Lawlor on some obscure points in my narrative. Though my statements for the most part have his approval, I have not always succeeded in convincing him. The correspondence of course was private, but he has readily given me leave to use it.

I am glad to find, touching St. Malachy's visit to Annan, that Dr. Lawlor is inclined to agree with me 'that Malachy learned there something of the state of England which he had not known; and that in consequence (possibly by the advice of his host), he avoided the south, and went to Guisborough in the hope that he might get a passage from that district, with the help of the canons there, in spite of Stephen's tactics regarding bishops.'

In my recital of Malachy's passage through Yorkshire (p. 81), I regret that by a heedless statement my meaning is not so clear as it should be. 'You represent him,' writes Dr. Lawlor, 'to have made a detour, which would seem to imply that he returned westward. But would not the word *divertit* mean that he left the beaten track without any such implication? Of course it would not indicate that he did *not* return to his intended route: see § 37, p. 71.' My translation of *divertit* in the text is so clumsy that it does not convey the impression the narrative gave me. Though St. Bernard does not say so, I believe that from the outset York was the objective on the second journey outward as well as on the first. But after the Annan experience, instead of going direct to the metropolitan city, Malachy turned aside after passing the gap of Stainmore that he might visit the canons of Guisborough on the way. According to the map given by J. R. Green (*Making of England*, ii. 128), which shows the direct road from Carlisle to York, the *divertit* would naturally take place at Catterick. If I rightly apprehend Dr. Lawlor's meaning that Malachy went to Guisborough to avoid the King's officials at York or elsewhere, I can raise no objection to the inference. The mouth of the Tees, in which the canons had interests, could supply a sea passage as well as the Humber.

Another interesting remark by Dr. Lawlor may be mentioned. When he said that 'Malachy had a prosperous journey *through* Scotland' (§ 40, p. 76), he was using the Bollandist text which gives '*prosperare Scociam pervenit*,' whereas the Benedictine text, on which I relied, has '*prosperare in Scociam pervenit*.' The textual discrepancy in my opinion is of no

consequence. A preposition after *pervenit*, so far as I can find, is always expressed or understood in classical as well as ecclesiastical prose. The Vulgate of Acts xvj¹ may be taken as an example of the latter usage. In the Clementine text of that verse, 'pervenit Derben et Lystram—he came to Derbe and Lystra,' the preposition *in* is omitted, but it has been restored to its proper place by Wordsworth and White in their great edition. It is precisely the same in the Bollandist and Benedictine texts of the *Vita S. Malachiae*: the absence or presence of the preposition makes no difference to the meaning of the passage. It is quite true that St. Bernard wrote 'pervenit ad Viride Stagnum—he passed through (the country) till he came to Viride Stagnum.' In like manner, I may use a paraphrase of either the Bollandist or Benedictine text—'he passed through (the distance from Clairvaux) till he came to Scotland.' I may be rash in saying so, but I still think that Carlisle is the inevitable identification of the place where St. Malachy is alleged to have healed the prince of Scotland.

I may call attention here to a curious blunder on pp. 75-6 of my narrative in twice using 'Downpatrick' for 'Portpatrick.' Fortunately the substitution would be detected by the reader at once as a mental vagary, caused by the similarity of the name-sounds, one being in Ireland and the other in Galloway.

Dr. Lawlor furnishes me with authoritative evidence of the correct form of *Portus Lapasperi* from which St. Malachy sailed to Ireland. 'By the way,' he says, 'I deserve no credit for the conjecture of *Lapasperi*: it is in three of the Bollandist MSS., and I think in my A and K. The fourth MS. has *Laspasperi*. The three readings in MSS. would be *Lapaspi*, *Laspaspi*, and *Lapaspi*—the two latter being very easy misreadings of the first.' It may be explained that the MSS., which he designates A and K, are in the Library of Trinity College, Dublin, the former being a cent. xiiij text of the *Vita S. Malachiae*, and the latter a cent. xv text: they have been so designated by him for the sake of reference in the list of authorities prefixed to his book published by the S.P.C.K. One may venture to express satisfaction that the true reading of this ancient Scottish place-name has been so happily determined.

JAMES WILSON.

ST. MALACHI IN SCOTLAND (*S.H.R.* xviii. p. 69). While I do not venture either to criticise or endorse Dr. Lawlor's equation of *Portus Lapasperi* with one of the places named Cairngarroch (not Cairngarrock as rendered by Canon Wilson) on the western seaboard of Wigtownshire, I cannot but think it probable that he prudently preferred to embark for Ireland at one of them, rather than at Portyerrock. The proximity of Cruggleton certainly favours Canon Wilson's interpretation; and the fact that the name is given as 'Portcarryk' in a MS. rental of Whithorn Priory, 1550-1585, and 'Porterack' in the *Inquisitiones ad Capellam*, 1647, suggests analogy with the adjectival syllables in Cairngarroch.

On the other hand the configuration of the district weighs against Canon Wilson's view. To reach the Irish coast from Portyerrock involves a long voyage round the Burrow Head and the Mull of Galloway. Off each of these headlands the tide races strongly, causing a nasty sea. Indeed, the

neck of the Mull still bears the name of Tarbet (*tarruing bada*, boat draught), where boats were drawn across from sea to sea to avoid the rough water round the headland.

Again, the parish church of Mochrum, bearing the only dedication to St. Michael within the county of Wigtown, lies $9\frac{1}{2}$ miles as the crow flies W.N.W. of Cruggleton and Portyerrock, on the direct route for the Cairngarrochs. It is hardly likely that Malachi would have travelled thither and returned to embark at Portyerrock. 'There is no real evidence,' says Canon Wilson, 'that either of the three Cairngarrochs' (I know of only two) 'was ever a port of passage to Ireland or elsewhere, . . . there is no good ground for attributing to early travellers a disinclination for sea voyages, or a desire to cross the sea by the shortest passage.' I submit that human stomachs were of much the same stability in the twelfth century as they are in the twentieth, and that, then as now, a sail of twenty miles is more attractive to the average landsman than one of fifty or sixty miles. There can be no reasonable doubt that intercourse by sea was easy and frequent between the west coast of Wigtownshire and Ulster. Twenty-five miles of rock-bound coast between Corsewall light and the Mull of Galloway lie in full sight of Ireland. The cliffs are seamed with numerous inlets bearing names denoting their use as landing places—Portavaddie, Slouchavaddie, the port and *slochd* or gully of the boats (*bhada*), Portlong, the ship (*long*) port, etc. It is to be noted that Portyerrock is no more than an inlet in an iron-bound coast, no whit more commodious than those in the neighbourhood of the hill called Cairngarroch.

Life-long acquaintance with every part of the coast of this county and the seafaring habits of its people leads me to think it very probable that Malachi would prefer riding thirty miles to Cairngarroch rather than beat a long passage to Ireland round the two promontories. And if the visit to St. Michael's of Mochrum be assumed, the case for Cairngarroch is strengthened.

HERBERT MAXWELL.

Monreith.

EARLY ORKNEY RENTALS IN SCOTS MONEY OR IN STERLING (*S.H.R.* xviii. 99). Some years ago I expressed the opinion in *Old-Lore Miscellany*, viii. 56, and more fully in the *Orkney Herald*, that the money in Peterkin's *Rentals*, No. 1, 1502, and in Orkney and Shetland 'payment' was sterling, because (1) an instance had been found in the *Rental* in which the 'price' of malt amounted to four times its rental value or Orkney 'payment'; (2) the Orkney 'payment' price of produce was less than a quarter of that of similar produce in Scotland; and (3) the ratio of sterling to Scots money was 3.5 : 1 in 1500 (the English *Tower pound* of 350 grammes was coined into £1 17s. 6d., and the Scots *troy pound* of 374 grammes was coined into £7). It dawned upon me afterwards that, as the normal rent of a mark of land in Orkney and Shetland is 10d. 'payment,' it followed that the purchase price must be twenty-four times that amount, *viz.* 240d., the Norse mark. This is supported by the fact that the uniform tithe charge in Shetland is 2d. per mark, or one-fifth of the rent. This rule still holds good in Scotland in the valuation of tithe, *viz.* the actual rent

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is assumed to be a half of the produce, so that one-fifth of the rent is equal to one-tenth of the produce. But the most important proof is the fact that, in 1500, one Norse penny of 240 to the mark of 216 grammes was equivalent to one depreciated sterling penny or 4 depreciated Scots pennies.¹ Unfortunately the old tithe charge of Orkney has not been preserved, but I have found sufficient evidence to shew that tithe had also been charged in Orkney at 2d. per mark.

Orkney and Shetland produce was appraised in Norse pennies of 240 to the weighed mark of pure silver. The meil of malt in Orkney and Shetland was valued at 6d. Orkney and Shetland 'payment' or 'gild,' shewing the antiquity and common origin of the appraisement. In the beginning of the 15th century, Norse *weighed* and Scots *depreciated* pennies were about equal in weight, and possibly *forcop*, a money payment, was paid in Scots money from that time. At any rate, in 1500 and after, *forcop* was paid in Scots money.

By 1595 Orkney 'payment' in money had been converted into Scots in the following manner, e.g., in the case of Foubister, St. Andrews. 1502 Rental: 'Butter-scat 1 span (20d.) . . . *inde* stent 1 leispund (=4d., leaving a balance of 16d. of butter-scat, which is entered in the summation as 'butter-scat *preter* the stent') . . . malt-scat 2 meils . . . forcop 7d.' 1595 Rental: 'Butter-scat 1 lispund, in scat-silver 3s. 3d. (=the balance of the butter-scat in 1502, viz. 16d. \times 2 = 32d. + 7d. forcop = 3s. 3d.) . . . scat-malt 2 meils.'

So that between 1502 and 1595, one item of Orkney 'payment' had been commuted into Scots money at only double its face value. In the above entry the span of butter has been priced at 20d. instead of the correct 21d. Where *forcop* has been carried over by itself from 1502 to 1595, it is of the original amount and in Scots money.

Captain Thomas read the *d.* in '21d. span of butter' as *mark*, although *d.*, *denarius*, is used throughout for *penny*, and *mk* and *merk* for *mark*; and he took 'butter-scat *inde* stent butter' to mean that 'stent butter' was an additional tax to butter-scat, whereas *inde* is used throughout to indicate the medium of payment. Butter-scat had to be paid partly in kind (butter) and the remainder in any appraised produce of the same value; the remainder is entered in the summations as 'butter-scat *preter* the stent,' and this Thomas took to be the total value of the butter-scat. Fortunately the weight of the Orkney and Shetland span is known to be equal to $3\frac{1}{2}$ Norse spans or 126 marks. The value of the span of butter was 21d., and of the Orkney lispund 4d., so that the latter would weigh 24 marks or $\frac{4}{3}\frac{1}{2}$ span; and therefore originally it was probably a bismar-pund of 24 marks, and not a lispund of 32 marks. In 1500 20 lispunds = 1 barrel of butter, which is suggestive of the Danish skippund of 20 lispunds of 32 marks or 16 lbs. each.

Captain Thomas explains the 101 contiguous *meilis-coppis* and *uris-coppis* in Westrey, extending to $16\frac{1}{2}$ pennylands or approximately 113 acres, as being '*cuppes*' or 'old quarries.' Whereas *coppis*, singular *cop*, is O.N. *Kaup* as in *forcop*; and 6 meils, or 6 uris, per pennyland, represent the scat

¹ The exact ratio of value is 4.047 Norse : 3.5 stg. : 1 Scots, of which the equivalents are 1 Norse = 1.156 stg. = 4.047 Scots.

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which, it is declared, should have been paid in 1502, and which was paid in 1595. In 1347 6 Norse aurar of depreciated coins were equal to 36d. Orkney payment, when the ratio of weighed to counted was 5 : 1. This payment, or its equivalent in Norse *coins* must, therefore, be dated from 1347 or after.

At last I have succeeded in ascertaining the whole of the eyrislands in Shetland, on the basis of the record of the actual scat of three of them. There are about 232 eyrislands in Shetland as compared with a possible 201 in Orkney, allowing approximate amounts for places like Edey and Cava of which the record is unknown. In Shetland, while many are valued at 72 marks, corresponding with the normal eyrisland in Orkney, the average value is 58 marks.

The rent of a normal eyrisland of 72 marks was 3 marks, and the Old Extent of a Scottish ploughland or hide was also 3 marks—the normal eyrisland and ploughland contained 120 acres each, and the similar rent in both cases may be more than a coincidence. Old Extent can be traced back to the same time as the mark valuation was made, *viz.* 1137.

In Shetland they grouped their marks of land into blocks of 72, each of which was called 'a piece of corn-teind,' and corresponded with the normal eyrisland in Orkney and the normal ploughland of 3 marks, or 40s. land, in Scotland.

A. W. JOHNSTON.

EARLY EIGHTEENTH CENTURY INDENTURE OF APPRENTICESHIP IN THE DYEING TRADE AT HADDINGTON. The Indenture of which a transcript follows is in itself evidence that the Union of 1707 and the Acts of the Scottish Parliament in 1703 and 1704 in favour of the export of wool, although a very serious blow to native manufacture, had not killed Haddington industry. Dyeing had been long established in the town and neighbourhood. The New Mills Cloth Manufactory was started in 1681, and thirty years earlier a similar industry was in existence. Professor Scott's valuable introduction to *The Records of the Scottish Cloth Manufactory at New Mills* contains much information not only on the spinning and weaving, but also the dyeing of wool, woollen yarn and cloth.

The Indenture provides for an apprenticeship for five years, the fee payable by the father, Thomas Burnet, being £60 Scots or £5 sterling. The master, Patrick Begbie, dyer, burgess of Haddington, is bound to 'teach learn and instruct' the apprentice, James Burnet, 'in the haill heads points passadges and circumstances of his said trad and occupation of litster.' There is careful provision against breaches of moral conduct on the part of the apprentice, who was to be an inmate apparently of the master's house during the term of his apprenticeship. JOHN EDWARDS.

THIR Indentors¹ maid at Hadingtoun the twentie third day of May Jm vij c^t and tuelle years It is apointed agried and finally Indented betuixt Patrick Begbie litster burges of Hadingtoun on the on pairt and

¹ Indenture, dated 3rd May, 1712. It is the property of Mr. John R. W. Burnet, advocate, Edinburgh, by whose permission this transcript appears.

James Burnet third lawfull son to Thomas Burnet tenent in balgon ¹ with advice and consent of the s^d Thomas Burnet and taken burden in and upon him for his s^d son on the other pairt That is to say the s^d James Burnet hes become and be thir pñts with consent fors^d becomes prentice and servant for all the dayes space and years of five years to be outroun nixt and immediatly follouing his entry therto q̃ch is heirby declared to be and begin upon the day and dait of thir pnts, And from thencefurth and therafter shall continue remain with and be faithfull trew good leal thankfull and diligent prentice and servant to the s^d Patrick Begbie, and shall wait upon his master's service bath holy day and work day during the space fors^d, and shall give his exact dilligence and travell to learn the s^d trad and occupation to be teached to him and that he shall not hear nor conceall his s^d masters hurt skeith nor prejudice but shall tymously reveall it and stop the samen to the outermost of his pouer and the s^d Thomas Burnet becomes cāutr for the s^d James Burnet his son his lauteth and remaining with his s^d master and that he shall nowayes during that tyme depairt from nor leave his s^d masters service without his spēall licence had and obtained therto, Whilk if he do in the contraire In that caice efter the expyring of his s^d prenticeship the s^d prentice shall remain with and serve his s^d master two dayes for ilk dayes absence And farder the s^d James Burnet and Thomas Burnet his s^d father obleadgs them cōnly and sēally that the s^d James Burnet shall not at any tyme during his prenticeship defyle nor abuse his bodie in furnication nor Adultery with any person nor persons qtsomever nather be anywayes ane carder dyce drinker nor night waker nor haunt nor bear company with any such vitious persons And the s^d Thomas Burnet binds and obleadgs him his airs, successors to him and intrometters with his goods and gear qtsomever To content pay and delyver to the s^d Patrick Begbie his airs exērs or assignees in name of prenticefee with his s^d son all and haill the soume of threescore of ponds Scots money And that Agēt the feast and terme of mertinmes nixt to come with ten ponds money forsds of liquidat expenses in caice of faillizie and cēnts (*consequents*) of the s^d prñll some efter the terme of pay^t above written durng the not pay^t therof, For the Ilks causes the s^d Patrick Begbie obleadgs him his airs and successors that he shall teach learn and instruct the s^d James Burnet prentice in the haill heads points passadges and circumstances of his s^d trad and occupation of litster q̃lk he presently uses or shall happen be his mozian or engyne² to attain to during the space fors^d and shall not hyd nor conceall from him any pairt or point therof, but shall use his exact dilligence and travell to cause the s^d prentice learne and conceave the samen and shall entertain sustain and mentain his s^d prentice honestly in meat drink bedding work and labour during the years abovspēit And the s^d Thomas Burnet obleadgs him and his forsds to furnish his s^d son clathes and others necessar to his body the haill tyme of his prenticeship, and both parties binds and

¹ 'Balgon, Sir George Sutton in North Berwick' (*Macfarlane's Geograph. Collections*, iii. 114). Sir James Suttie, Bart., of Balgone, County Haddington, married 1715 Elizabeth, daughter of Sir Hugh Dalrymple, Bart., of North Berwick (*Scots Peerage*, viii. 142).

² *Mozian*, means, resources. *Engyne*, ingenuity, scientific knowledge.

obleadgs them to perform the premisses ilk ane to others and the party faillizier to pay to the party observer the some of twenty ponds money forsd for ilk faillize in the premisses by and attour the fulfilling yrof wher ther is not ane alreadie modifed penalty And for the more security bath parties consents to the regretion heirof in the books of counsell and session or any other judges books competent within this Kingdom to have the strenth of ane decreit interponed heirto, that lērs of horining on ane charge of six dayes only and other Extolls neidfull may pass heiron, And for that effect Constituts

Ther Prōrs, In witnes qrof written be William Shiel notar at Hadingtoūn both the s^d parties have sub^t thir pñts with ther hands place day moneth, and year of God above wñ befor thes witnesses William Houden Schoolmaster in Bouhouses and the s^d William Shiel writter heirof and Androw and George Yowlls tennents in Haltfentoun

W^m Shiel witnes

Pat Begbie
James Burnet
Thomas Burnet
Androū Yūle witnes
Geo: Yool witnes
W^m Houden witnefs

THE ENTICEMENT OF SCOTTISH ARTIFICERS TO RUSSIA AND DENMARK IN 1784 AND 1786. The following notes have been made from documents in the Public Record Office in London: ¹

The first is in the form of a letter from Mr. Alleyne Fitzherbert, of the British Embassy at St. Petersburg, to Lord Carmarthen, dated 8th June, 1784, and expresses his regret at having to record the recent arrival of ships from Leith carrying a considerable number of stonemasons, bricklayers and other artificers, all from Edinburgh and district, who had been sent for by a Mr. Cameron, a British architect in the employ of the Empress Catherine, to complete some extensive buildings at Tsarkoezelo, her residence outside St. Petersburg. Many of these men brought their wives and families, the whole party numbering 140 persons, and employed for the most part on a yearly engagement. The diplomat hopes that at the expiry of this term these useful artificers will return home to Scotland, and thus not be lost to their own country.

The letter concludes with the request that Lord Carmarthen will take steps to prevent further traffic in artificers from Great Britain, and expresses surprise that the magistrates of Edinburgh should allow these men to depart, not stealthily but publicly, in response to public advertisements in defiance of recent laws passed to prevent emigration of manufacturers.

Mr. Fitzherbert wrote another letter to Lord Carmarthen on 16th June, 1786, informing him of the arrival at Cronstadt of an Englishman, one Gascoyne, a former principal member of the Carron Company of Ironworkers, who had been engaged at a high salary to erect a foundry

¹ H.O. 32/1. (Correspondence to the Home Office from the Foreign Office.)

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for making cannon for the Russian navy, and had brought over with him an assortment of all the principal machines in use at the Carron Works, and, of still greater importance, he had seduced from these works a considerable number of skilful artificers, some of whom had already arrived in Russia and others were due to embark at Leith. Gascoyne had announced that he had come to Russia with the approbation of His Majesty's Ministers.

The document relating to Scotsmen in Denmark is in the form of a letter from Mr. John Mitchell, dated from Copenhagen, 12th December, 1786, and announces that a certain Scotsman and noted smuggler, one William Moir, had sailed from Copenhagen on that day for Great Britain with a commission from the Danish Government to engage a number of able hands from the hardware, plated ware, cotton and woollen manufactures of England and Scotland, and to provide a sufficient quantity of machinery and utensils for establishing branches of those trades in Denmark. If successful in his errand, Moir was promised a reward of £6000 sterling. An Irishman, Hamilton Moor, had embarked a few days earlier for Dublin, presumably on a similar errand. He returned from Ireland in July, 1787,¹ accompanied by five millwrights.

Many attempts were made to entice artificers from England and Scotland at this time. For example, a Prussian subject, Frederick Baden, was imprisoned and fined £500 for enticing artificers to leave the kingdom in 1785.²

A young lieutenant in the Danish navy, named Kaas, aged 24 and 6 ft. high, was sent to Hull in 1787 to engage instructors in the art of making steel, an art which is said to have been unknown in Denmark and Norway at that time.³

E. ALFRED JONES.

THE DALKEITH PORTRAIT OF MARY QUEEN OF SCOTS (*S.H.R.* xviii. 32, 152). Being in Rome and having with me only some rough notes on the subject of Queen Mary's Portrait, I can only reply shortly to Mr. Seton's letter.

To begin with a small point. Mr. Seton states that in Mr. Cust's book on the pictures of the Queen 'No portrait appears to show a cross, but most show a crucifix.' But in Mr. Foster's great work on the same subject one finds several portraits of Mary wearing a cross, both in miniatures and also in the large pictures. Among the latter are the Ailsa portrait, that at Trinity House, Leith, and the Buchan-Hepburn portrait—the cross in the last being of a curious and rare shape. It is true that in the portraits of Mary in later life and as a prisoner in England, she generally is pictured with a crucifix.

The cross of seven diamonds which I suggested as possibly the same as the cross in the Dalkeith Portrait, only altered later by the addition of rubies and a pendant pearl, was not given back with the *carcan* to the

¹ Mitchell's letter of 10th July, 1787.

² Public Record Office : H.O. 32/1 ; letter dated 7th March, 1787.

³ *Ibid.* 10th July, 1787.

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Crown of France. It was not part of the French Crown Jewels, as can be seen by the Inventories of the Queen's Jewels, later, in Scotland, where there is a note of the pearl being added from some loose ones in Mary's possession. It was a cross of nine diamonds, as I pointed out, which was returned to France.

With regard to Mr. Seton's statement that the ruff was of a date not earlier than 1576, it has been carefully compared with that worn by Mary as Dauphine, in the sketch attributed to Clouet about 1559, and it is almost identical; and the Clouet sketch is admitted to be a contemporary and authentic portrait. It is also very similar to that worn by her immediate successor, the wife of Charles the Ninth of France.

Mr. Seton dismisses in a couple of lines what I regard as the most important piece of evidence, namely the *carcan* of table diamonds and *entredoux* of pearls set in clusters of five. Yet he does not explain how someone, not the Queen Consort of France, was painted wearing a necklace of such value, identical with that (described with such care in the Queen's Inventories) which belonged to, and had been given back to, the Crown of France before Mary returned to Scotland in 1561.

The *carcan* as I pointed out agrees in every particular with the description in the Inventories, and it is on this very important piece of evidence that I state that the Dalkeith Portrait must have been painted before Mary left France in 1661 or copied from an original of that date. No private person could have been painted wearing a portion of the French Crown Jewels—a set of such magnificence that it was valued at something like 800,000 crowns—and Mary herself had only a very brief period, as Queen Consort, when she had the power to wear it.

With regard to likeness that, like beauty, is very much 'in the eye of the beholder,' but with regard to the age of the person in the portrait, one has to remember that Mary dressed in rich robes and wearing the splendid crown jewels would naturally look older than the girl-dauphine of 1559. As for the pedigree of the picture it is at least as good as that of many of the portraits accepted as authentic, or quasi-authentic.

It has been the fate of Mary Queen of Scots, that living or dead, every subject connected with her should have been a source of controversy, and the Dalkeith Portrait cannot be expected to be an exception to the rule.

MARIA STEUART.

By the Editor's courtesy I have seen Miss Steuart's reply. I do not feel able to modify my view that the Dalkeith portrait is not genuine. It is dangerous for a mere man to argue with ladies about the date of ruffs; but I fail to understand how any one can put the Dalkeith ruff and the Clouet one side by side and then say they are 'almost identical.'

WALTER SETON.

MANDATE TO THE BURGH COMMISSARIES OF KINGHORN FOR PARLIAMENT IN 1475. One of the earliest documents preserved among the Supplementary Parliamentary Papers at the Register house (vol. i. no.2) is the following mandate to commissioners of the burgh of Kinghorn for a Parliament in the spring of 1475-6. The writ is badly

236 Mandate to Burgh Commissaries of Kinghorn

mutilated ; but enough is left to be an important addition to the *Reliquiae Parliamentariae* in the first volume of the *Acts* (p. 102). We have transcribed as much as can be read with any certainty, without attempting to fill up gaps by comparison with other forms of procuratory.

Omnibus ad quorum noticias presentes . . . Salutem. Sciatis nos unanimi consilio et consensu . . . habito comburgen . . . Johannem de Balglali et Andrean Quhitbrow . . . nostros deputatos commissarios ac nuncios speciales coniunctim ad comparendum [pro nobis et] nomine nostro ad parlamentum domini nostri regis coram eo vel deputatis suis pluribus vel uno . . . [inc]hoandum et tenendum videlicet die lune XI^{mo} die mensis marcii proximo futuro cum continuacione [dierum sub]sequencium : dantes et concedentes . . . procuratoribus nostris et commissariis commissionem nostram . . . [g]eneralem et specialem ac mandatum generale et speciale comparendi seu conveniendi pro [nobis] . . . et loco cum continuacione dierum ut premittiturur subsequencium ac consulendi . . . d[eliberan]di concordandi et determinandi una cum aliis communitatibus regni . . . negotiis domini nostri regis et regni in dicto parlamento . . . determinandis ac perficiendis omnia alia et singula que . . . [auctori]tate communi domini nostri regis et regni facere potuerimus si presencia . . . gratum et firmum pro perpetuo habituri quicquid per procuratores . . . coniunctim nomine nostro et ex parte tractatum concordatum et determinatum . . . quolibet premissorum. In cuius rei testimonium sigillum commune nostri burghi . . . est appensum apud Kyngorn in tolloneo nostro tertio die mensis marcii anno domini millesimo [quadringentesimo] LXXV^o.

A. B. CALDERWOOD.
R. K. HANNAY.

MACBETH, MACHETH (*S.H.R.* xvii. 155, 378, xviii. 154, 155). Although Macbeth and Macheth have been shewn to be English variants of the Gaelic name McBheatha, there is not a single instance (excluding the faked name Beth of 1120-24) of a Gaelic name *Beatha* in Scottish or Irish documents. There are, however, a multitude of instances of the Gaelic and Irish name *Aoidh*, in the form *Aedh* of which the name of earl Heth, Ed or Head is obviously the English form. If Angus McHeth was a son of earl Heth or Ed (Gaelic *Aoidh*) it is reasonable to believe that the name MacHeth, in his case, is the Gaelic patronymic MacAoidh, which is also found in an aspirated form in Irish, e.g. in O', and *Ua hAeadh*, and so possibly a Gaelic form *Mac hAoidh*, i.e. Mackay.

A. W. JOHNSTON.

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Mr. Robert Kirk's Note-book

THE MS. from which the following passages are extracted, is a small volume ($5\frac{1}{2}$ inches by $2\frac{3}{4}$ by $1\frac{1}{4}$), bound in vellum, beautifully coloured by use and age, and furnished with a flap which retains a piece of one of its cords. It contains 188 pages covered on both sides with closely-written, delicate writing. Some leaves have been torn from the end. The first page is inscribed: *First Manuscript | A | miscelany of occuring | thoughts on various | occasions | Ro : Kirk | Love and live | August i. at Balquhidder | 1678.* The inside of the flap bears the signatures of 'C. Kirk,' probably the writer's son Colin Kirk, W.S., and of 'Thomas Rutherford, 1698.' The volume bears evidence of being one of a series which probably included the 'little manuscript belonging to Coline Kirk' referred to by the transcriber of the *Secret Commonwealth* (if it be not the 'little manuscript' itself).¹ It was purchased by the writer of this note in a bundle of miscellaneous MSS. at a recent sale in London of part of the library of the late Professor John Ferguson, LL.D., of Glasgow University.

The writer of this *Miscelany* was clearly Mr. Robert Kirk, the author of *The Secret Commonwealth of Elves, Fauns and Fairies*, who was minister of Balquidder and afterwards of Aberfoyle, and departed this life in 1692, to become, according to popular tradition, the 'Chaplain to the Fairy Queen.'

¹ *D.N.B.*, s.v. and Andrew Lang's edition of the *Secret Commonwealth*. London : David Nutt, 1893.

The expectation of discovering a work of the character of *The Secret Commonwealth* vanished under the transcribing hand, but in its place there was disclosed an interesting picture of the mind of a worthy Scottish pastor of the school of Leighton. The Note-book, however, offers sufficient internal evidence to identify the writer with the author of that curious tractate. The following passage has Kirk's peculiar quality of grave reflection stumbling in an obscure field of observation.

The ancient tradition of evil spirits sucking of witches and dead carcasses (raising a storm while a magician's dead body is unburnt) as being together with darkness their proper element they are chained to (Jud. 6) and they smelling from the cold north a carcass meet for them as a raven doth a carrion afar off; those spiritual serpents triumphing over and feeding on that dust) also their magical treats and sips of sweet liquor; and the fame of their being fed with dewes and savoury exhalations and incense (being mostly in the air intercepting souls' passage to heaven, which makes them need the conduct of angels to Abraham's bosom) lykewise the story of the human-shaped *incubi*, and stealing of children and nurses, give probable surmises that there are divers clans and kynds of spirits who make their vehicles seen to us when they please, though they are not so gross as terrestrial bodies, but most part aerial needing to be soakt and fed some way as well as ourselves. Such may be the fauns, fayries, satyrs and haunTERS of woods, hillocks, wells, etc. (for no thing nor place but is inhabited within of some creatures) and since many of these disappear at mentioning the name of God, and that they forsee evil rather than good, why may they not have a polity among themselves, some of them not so miserable as others, some of them reasoning and learning, others as yet obstinate, blinded atheists (for they but see the works of God to prove a duty as we do; yet are there atheists among us).

A further point of identification is found in the 'Irish' passages which the Note-book contains, and in a number of sympathetic references to the 'Scots-Irish.' The former are in some cases in old Irish script, and include a version of one of Kirk's elegies on the death of his first wife. It will be remembered that Kirk produced the first complete translation of the Scottish Metrical Psalms into Gaelic in 1684, and had a hand in a similar enterprise six years later.

'It is often and much wished,' writes Kirk,

It is often and much wished that for benefit of the Scotch-Irish that ancient law of England were in use, and that any thief or other malefactor were pardoned the first crime, providing he could read the bibl; for once coming to holy knowledge they would indeed surcease that base trade of life, which now among many tribes is scarce counted a sin or reproach, but a worthy martial and politic act. For bordering enemies to invade other so,

is no wonder ; but to bordering neebours, men of the same language and extract, 'tis barbarous ; mars all traffic and converse, as wel as religion, being a kind of secret civil war and unmanly treachery ; worse than the savageness of beasts who prey not on their own kind. Want of sound knowledge is much of the cause of this, which in time would root out the evil habit, which (as in any other sin) kills the sense of its vileness.

The years during which the oblong leaves of the Note-book were carefully filled were full of events of national importance, but it only contains one reference to them. The following account of the Battle of Bothwell Bridge has the value of contemporary hearsay :

On Sunday, June 22, 1679, the Southern Army of about 6000 Nonconformists or dissatisfied persons, led by one Hamilton, a gentleman and Mr Jo. Welsh, a minister, were betwixt Bothwell Brigg and Hamilton utterly discomfited (and about 1000 killed and taken). They taking flight after a few sore cann shot sent among them, leaving their own cannon and provision without tarrying to encounter with swords. They refused liberal conditions of peace, and to give or take quarter that morning. Their word notwithstanding was 'Kill and Take.' The King's Army's word was 'Heth.' These valiant shadowes and deceived rout, full of godly words but damnable works, began their diabolic insurrection with the intended murder of Major Johnston at Edinburgh, and horrid assasination of Archbishop Sharp (who suppose an ill man got no fair justice or assize from them) continued it with cruelty at Rugland, giving no mercy to any of the King's troop when they once had the upper hand of them, and rifling the graves of the dead at Glasgow shewing their valorous feats of arms and singular dexterity in anatomy by slashing and carving of the dead corps (an inhumanity unheard of among infidels). These be the effects of their exalted Religion ; this their manhood in Battel ; and so vile an end would the just God bring on so abominable a beginning ; what began with desperate rashness and want of head or wit ; ended with shame and want of heart and hand. Such a bolt and attempt as this was in the year 1667 and was then quell'd by General Daliell, as this under the conduct of the Duke of Monmouth. Our reflection hereon, is, that the Kingdom loses, whoever had gain'd the day : Therfor in civil and intestin Debates our sorrow should be doubled for the common vices that occasion such strokes ; wherein all of us have our own blame. And withal we are to pity such poor people that are deluded and hoodwinked by their vagrant corrupt teachers, to the disgrace of their nation and profession for ever, to the loss of their estates and lives and great hazard of their souls (dying in so blood-thirsty a temper).

In March of the same year, Robert Kirk's mother died, and he records the event in the following characteristic fashion :

Though I use not to notice dreams much, yet March 25, 1679, I viyels perceived and thought I felt a great tooth in my head break into two halves

part by part and com off; on the morrow (my father being removed twenty years before) my mother took bed and on Monday thereafter about 2 a clock, gave up the ghost. Who knows if some courteous angel gives us a warning by our imaginations or senses, of extraordinary accidents. I am sure at several slips, I have susteand immediately loss of goods or hurts of my body, or vexing reports of fama. Though God does observe and may manage every particular in this world by himself; yet he may use the medial ministry of angels toward men, as of man toward beasts.

Ignorant worldly men will boast of their kyndly calf-country and so. To do good specially to that place we breathed our first air into, we should take any argument to urge us; but t'is as absurd so to stick be it, as to imagine of no permanent resting but in it, as becaus t'is kindly for a man to go to Hell if he follow his predecessors. Therfor he himself is not to labour for heaven (our true home and lasting country).

The death of his wife is recorded in pedestrian verse :

Elegie on Isabel Campbel, sometime spouse to Mr Robert Kirk, minister of the Gospel at Balquidder, who departed December 25, 1680. Was married to her husband near 3 years, and left alive one son, Colin.

You winged choristers, appear,
 Chirp notes of grief in every ear.
 You sable-tribe, whose horrid groans,
 Would wrench salt tear from marbl stons,
 You fonts, you monts, whose wandering crew's
 Resound sad echoes to sad news.
 You, all that's female, scour your throats,
 Bewail this bride who left your cotes;
 Whose Heart's chaste flames were such that shee
 Chang'd husbands, one for one most High,
 She scorns the cut, the curt, the cringe,
 (Rare soul, that movd not on such hinge).
 Her ornament was loyal duty;
 In soul, not boxes was her beauty.
 Her innocence and honestie
 Brought Paradyse before our ey,
 She beamd with brightness all her life,
 Now let her rest, away with strife.
 Two that's made one whilst they have breath
 No wise man parts¹ them at their death.

An epitaph on the same.

One piece of gold is tantamount
 To heaps of pennies on accompt.
 Here, one commends the ruby lips,
 There, one applauds her courtly skips.

¹ Some of her friends strove to remove her corpse to their own burial place.

The crouching back ; the simpering face,
The wel-cut patch, the scrape of grace,
The dainty pace, such minute things
Men speak of friends, when their knel sings.
Your ears with such I will not vex,
This was the compend of her sex.
What man should wish to have in her
How soon required : yet made no stir.
Christ came to fetch her, it appeared ;
For He was born that ¹ day she died.

Kirk has one discreet reference to Charles II. In the course of a strong enunciation of the doctrine of non-resistance, he observes : ' As Alberico Gentile said of women, we cannot want Kings that are not pleased with them.'

If Kirk is silent as regards the external events of the outer world, he offers us a sufficiently clear picture of the life of his isolated highland parish. He was alone under the eye of barbarians. ' When I hear,' he writes, ' of evil tales concerning myself in the country (endeavouring intirely to keep the commandment) only reply that I thank God they have not worse news to occupy them with.' The following somewhat bitter passage on pride of birth seems to indicate that the Perthshire notables did not give Mr. Robert Kirk the consideration which he expected :

Among the most barbarous tribes, riches or antiquity of riches in a house or family ; or numerosity of kinred though infamous for thefts or murthers, make a gentleman, not considering that few houses can reckon geneologie but with the contemptibl Jews, even from Adam ; yet are they not the better. So old riches grows mouldy and becomes trash : nothing is so pitiful as bare antiquity. A stone is more ancient than any hous. The clay in each man's body is alyk ancient. Each reasonable man cam of the first man though he cannot reckon it, and so we all are brethren. So sirnames at first were not, only Adam, Laban, Abraham, David. The sirnames then cam only by some accidental act, some laudable, some infamous, as Hay, Armstrong, Douglass, Longshanks, Kenmore, Iscariot, &c. Nor can numerosity of clan gain honour, for the commons are in kinred as numerous as nobles, and beggars begat as many children as kings. Moreover by nature all blood is of one colour and alyke red, nor does death or dust distinguish betwixt clown and Caesar. The wise man then that gives verdict according to God's mind calls the only Righteous and Gody man more excellent than his neibour ; wisdom only makes the soul and face to shine. He who has most knowledge, love and practice of divine things, of a prudent spirit, sober and just, is the gentile person, having the true and durabl accomplishments, and as the Bersans is nobl in

¹ On Christmas day.

mind before God and of most candid and acceptabl behaviour before all good men ; while those that are the offscouring of their kinred and yet boast of their gentility usually despyse others and so become a scorning themselves notwithstanding of all their barren nobility.

He suffered in a more material fashion from the thieving proclivities of his parishioners. In a moment of exaltation, he wrote

Does another rob you? Sure you but quit to the common use of the world what was the world's both before and when you had the use of it yourself. Your brother makes use of what you do not. So, if you be a citizen of the world, you will not much grudg ; for both prime nature and perfect Christianity are for community. Envy and sin and narrowness of heart occasioned property.

But he changed his tune when he became a victim :

As 'tis more haynous to act villany on Sunday than another ; in the church than private house, so to wrong a churchman and his goods than any other man's as being more nearly and wholly dedicate to God for his immediate service, and so a touching of himself and unhallowing of his sacred name by a great contempt unheard of among infidels to their pagan priests : so as robbing and stealing from ministers is a visibl token of atheism and total decay of the sense of God and religion, for they would just do so to God himself their master, if they could ; and to secure them God joyned them to Kings, saying, Touch not mine anoynted and do my prophets no harm. Ps. Indeed nature made all things common, but God and reason restricted to properties, that sinful man might not turn all slothful in hopes to live on one another's industry, and so the world be unlaboured.

He deplored the clan feuds which distracted the country side :

What narrow-spiritedness is in men voyd of the love of God and (man) his image ; when if a difference arise betwixt two of divers sir-name, instead of a common endeavour of the rest to reconcile them, it shall create an *odium*, a feud between both the clans, each espousing their kinsman's interest. How can the world stand and the voyce of religion be heard in the throng of such barbarous impieties. How true is it, *homo homini lupus*? No creatures prey on their own kind but man. Look through tame and ravenous, none make it their own profit or glory to kill or steal from those of their own feather or keel.

and the bitterness with which a litigation was conducted :

'Tis great weakness to pursue a Law quarrel and yet not be friendly to one another. Let the lawyiers plea for justice, let the two contrary parties keep Christian charity ; else they lose much more than any of them can gain by the Bargain. This is an universal infirmity now among all ranks. That a plea of a shilling or two breaks all Christian bonds and makes a base feud and reproachful tak among the parties.

Sharp practice in money matters was not unfamiliar to the Parish minister :

Many would enrich themselves by borrowing and give papper for a kingdom, in hopes by tricks of Law to over-reach and compound with the creditor. Heretofore a word was enough for the borrower and his posterity ; now oaths and bonds cannot have clauses to ty the false and slipping debtors fast enough with, but they will find some subterfuge to escape by, or beg and force the creditor to quit the most part.

The vices and shortcomings with which Kirk had to deal were those common to weak humanity such as drunkenness, lust, superstition, non-church going, neglect of family worship and the religious instruction of the young. He was no extremist. 'A kindly motion,' he wrote, 'towards a person present, or taking occasion to remember some absent for main-tening of Christian familiarity and society in our moderate enterteanments, is not unsuitable. But tippling at Christenings, Bargainings, visits, Light-wakes, are unchristian and unsuitable.' Again, 'Pray also for the King's health and drink for thy own.'

Provided the services of the Church were attended, Kirk was willing to leave the disposal of the rest of the Sunday to what he describes in another passage as 'the masculine liberty of the Christian.' 'Plowmen,' he writes, 'sit still in Church on Sundays. Some need relaxation that day, to others it were neither necessary, pious, nor prudent.' But church services must not be neglected.

Those who stay in churchyard and taverns doing secular business on Lord's days as Gallios and Laodiceans, are spewed out of God's house from among his peopl and oft are furthest behind both in business of soul and estate according to Math. vi. 33.

He approved of public penance, but it was not a sufficient deterrent. 'Many of you weep to the minister, but wantonly laugh and sport immediately in other company.' 'O, what a confused ravening world wold it be if only Religious bands ruled it, without the Civil Laws !'

I would particularly recommend to those of my charge to use constant family prayer, and forbear swearing, as rare characters of painful Christians. Prayer draws Heaven to our aid in all that is difficult for us against we com there. The negativ duty of not breaking the third command (so universally violate) shows we take pains to share a common vice. Otherwise by usual oaths none will trust us much in a solemn oath. Besydes shall we leap on a man's throat if he say, 'You lie,' or (Lamb . . .) & be enraged at men's prophaning our Earthly father, and ourselves so gracelessly despyse the

sacred name of our Heavenly father? Will God at last bring such a person to be in one lodging with him: Oh think on! I know some who speaks of God oftener than any in the parish yet are debauchter than the most of the parish: How speak they of Him? Not by praying to Him, but at every paltry talking and errant lie, takes His name in vain, sporting with and making a laughing stock of that divine name and majesty; disgracing his maker to grace his talk. Bringing down that glorious name from Heaven for every common beastly business (as if he behove have a cabl to ty a fly's leg with).

Again,

Many think they pray sufficient in their families if they sit and say grace to meat, morning and evening, but are there not other benefits to be thankful for? & blessings spiritual? Are not sins to confess and crave pardon for? Are not increase of graces and virtues to seek? And not intercessions to be made for others? Are we not to bow the knee in prayer solemn to the God of our life? To show he is far above us and not our companion to sit with when we speak to him?

Preaching appeared to have little effect:

In country parishes where few get their children to schools, or retean or use what they learned in youth, so much as to make them understand the Holy Scriptures, which are the foundation of all piety and honesty (if well remembred in its several precepts and examples) makes that so very few or none understand sermons tho' dayly acquainted with them, so that many thousand good discourses are spent among deaf stones and men and timber every day. Great therfor must be the pains in kindling som sparks of knowledge by catechising and rooting the youth in the principls of religion e'er they can attein to be attentive to a sermon, and not only gaze (but not understand) like bruits.

The only remedy was to be found in the faithful exercise of the pastoral office:

Tho' a peopl were convoyd and helpt up to heaven by two faithful united pastors' pains, one on every hand of them, I suppose *abundantia non nocet*. Barbarous peopl's necessity (had they eyes to see it) requires all that can be done for their information and reformation.

It is clear that Kirk was a moralist, something of a casuist, and a wise spiritual physician. The following passages are typical:

Fear is the scrupolous man's disease and that is infinit but unreasonabl fear is easiest cured and laid aside. Use prayer and fasting. Fear great known sins most. Avoid excess in mortifications. Interest not in intricate questions. (Things practical are the hinges of immortality). Have your religion as near the usages of common life as you can. Make no vows of any lasting employment. Avoyd companies, employment and books that raise clouds as phantastic legends anent rare saints. Bring body in a fair

temper, kindl in mind a high esteem of God and His mercy. Pursue the purgativ way of religion against vice before the illuminativ. Be instructed in practical general lines of life and pursue axioms of Christian philosophy, so these impertinent flies of conscience will slide off. Hold that which is certain and let what's uncertain go.

There is a cunning in porter-craft and mystery. Who bears a burthen or cross, must compact it well. Lay it well on (use it, which is as oyling). Go steady, and be cheerful ; the mind delighted suffers not the body to feel the weight.

It is possible that Kirk turned for relief from isolation and depression to the *Secret Commonwealth*, but apart from this relaxation, he appears to have been blessed with a good digestion, and to have been free from 'the stone,' that rock upon which so much of the spiritual life of Scotland was built. No dispeptic could repeat the following pious ejaculation as Kirk does. It has the pointed brevity of a patent medicine advertisement :

With great ease hath God's wisdom appoynted the many divers parts of man's body to be fed, only by putting some meat down his throat ; God himself and his servant nature doe the rest.

Kirk was an episcopalian of the school of Leighton, and while he had no admiration for the Roman communion, he had no illusions regarding the Scottish Reformation :

The Scottish Reformation became deformed in ruining Babel and rearing up Jerusalem, by making the minister's coat too short and Gentries too wide. The clergy lost their temporals when the gentry became spiritual. But it was the sweetness that many of them found in God's bread called Babel's spoys that edgd their jehu-like zeal against the idolatry. For now how soon all is parted and no more is expected for kything religions, their devotion is become key-cold and contentions furious. Thus reformation as wisdom is only likd with an inheritance and dowry. And those who left not a loaf in Rome, but compleated pure religion in all its numbers, have almost lost all religion immediately after seeking of all.

Of the Presbyterian he wrote :

Presbyterians say that a definite discipline is as essentially requisite to a church as a church to Christian religion. Where then is their Church now 1680 ? They first preach Christian liberty, purity of ordinations &c., but whenever they make up a competent number out of other churches, down goes liberty, and oaths and covenants must be invented to bind them all in a fraternity together lest they scatter away again as mist to nothing ; then is toleration decryd, order, unity and government cryd up, no more free use of indifferent things. Lo how their simpl followers are mocked !

the crocodile weeps and devours ; provender is pretended but the bridle intended to hold them fast to be ridden as they please. O subtel guydes, and blind followers !

His judgment of the covenanting extremists was acute :

Papists and campites (or hill-side clergy) like Sampson's foxes, look sundry ways from one another, but are ty'd together by their tails, rudders and errors ; and both do grin and bark at the orthodox, church and state : Both hold, or practise as if sacraments had efficacy from the quality of ministrators. Both hold resisting and excommunicating the lawful supreme powers. Both maintain prophecy and miracles in these later times notwithstanding of the surer word of prophecy. Also, both value success beyond martyrdom.

Again,

Our schismatics look more on the pomp than purity of religion ; may they go as throng to heaven as to preaching-houses. In their martial attempts for promoting their cause, they prove first a viper, rent their mother ; then a wasp, sting their brother ; and fall as he, *animasque in vulnere ponunt*. I do likewise suppose much of their disease is natural and easier cured by a chirurgion than a divine. They are impatient of superiors in church or state, and think nothing God's word or worship but preaching, albeath it receives from, but gives nothing to God. They are Mahometans, would propagate their religion by the sword and carnal weapon. They still practise as if the efficacy of sacraments depended on the administrator, not author.

It is interesting to find that the Quakers seem to have attracted his attention, and he writes of them at some length, with indignant severity.

For his own part, he believed strongly in a fixed form of service, if wisely used

The English service appoynts the auditors to follow the preacher audibly and methodically in the petitions of prayer, all rehearsing the same words for consents' sake. This is far from the indolent custom among the vulgar of Scotland (which yet is not amended) when all in the house, master and servants, men and women, blates and speak confusedly, not one knowing what another says, nor two speaking the same words to the God of order ; can this be in faith, or can it be with common understanding ? How then can God grant when we know not what nor how we seek ?

Hold to form of ancient sound words of the Church and that will introduce you to the faith and works of the ancients.

The first invention of ceremonies being ill and papish (as an error in first conviction) whatever be the after-glosses they readily turn men to their original at last. Shun then suspicion, in a sacred act be tender and do not ill-lyke.

The tolerant meditative spirit of Kirk would have the Church as wide as is consistent with the preservation of essential truth. 'Rites,' he wrote, 'are but shadows to the body of substantial religion Jesus revealed for renewing the Mind and reforming the Life.' Again, he notes, 'Nothing should be urged as conditions of all Churches' communion but what is generally necessary to salvation.' And again, 'Unless a man be a Christian he cannot be a heretick. A church may be true as to being absolutely, though not perfectly; essentials may be, and integrals be wanting. Even uncharitableness to dissenters in small things, is damnable.' The struggle towards the Christian ideal must not be distracted by side issues :

This world is the place where we must provide for a better world; and we must be as lyke the place we wish to go unto as we can; for thereby we fit ourselves for it; and therefore has this midl world a mixture of evil and good, that the gallantry of the right chuser may be known; and so heaven may have only the best, men of heroic and generous spirits; choice persons severd from the Rouf.

There are only two prayers in the Note-book. One must suffice :

Jesus, our great advocate, suffer us not to shame our religion by our life. Such as suffer for good-doing, uphold; such as suffer for evil, let them not think they are thereby martyrs. Confirm in the belief of enjoying better company such as those removest from this life, who shall also meet with all their faithful friends they left here. If ought temporal please, what will the eternal.

If it be true that Mr. Robert Kirk was chosen as her chaplain by the Fairy Queen, Her Majesty is to be congratulated on her good taste.

The foregoing extracts give but a partial idea of the quality of Kirk's Note-book, as they leave the greater part of it untouched. He deals at some length, and with the occasional felicity of phrase which he possessed, with the question of Free Will and Predestination, the Metaphysics of the Stoics, Astral influences and omens, the Jewish dispensation, the failure of the Churches, the Roman controversy, Faith and Works, with a reference to the Jesuits, Church ceremonies, the office of the Christian Prince in religious matters, Church government questions of exegesis, the Neo Platonists, the philosophy of Descartes, which he approved in some respects, War, and Missionary enterprise, which he would only sanction if assistance

were invited by the Civil power of the country concerned.¹ He knew something of the Fathers, of the classics, of the contemporary controversial writers, of foreign theologians, and writers such as Bodin and William of Paris. There are also some ten pages devoted to curious observations on the habits of moles and farriery, and the last page contains the familiar Latin metrical version of the prohibited degrees.

The interest which the Note-book offers is to be found in its intimate quality. Its pages contain the private reflections and judgments of a mind which was at the same time pensive and curious, austere and tolerant, limited and undistinguished and yet within its province wise and understanding.

DAVID BAIRD SMITH.

¹ A few examples may be given :

‘Edification having a comliness as that of fair birds . . .’ ‘spiritual and of eternal decency.’

‘As some women are wiser than men, yet men are the more understanding sex.’

‘But even this excellent liberty has trembling and weakness, as the needl of a dyal.’

‘The will coyns the bullion, and sets a figure to ciphers and governs the rest.’

‘If man's individual actions were restrained by the cut-throat of necessity, Reason were locked up and could not stir.’

‘There is no infidell in Hell.’

‘A maule with the ministry never prospered.’

‘Wise fervency in prayer is the fire that burns the odors.’

‘A cold leiturgie galopt over, or cast through a seive with parat-like tautologies or lukewarm lip labour, sayes one, gets a lean blessing.”

‘’Tis some solace to be vanquisht by one worthy to command.’

‘Lament not a good man dying. He but goes home from his exile.’

‘For we bind not absolutely but respectively, not as to the victory, but as to the wrestling, not as the event, but as to the means.’

The Appin Murder, 1752

COST OF THE EXECUTION

AN Account of the Cost of the execution of James Stewart of the Glens, which is preserved in the Treasury Board papers, may not be without interest. The story of this judicial murder is too well known to require much recapitulation. It is the theme of R. L. Stevenson's romances, *Kidnapped* and *Catriona*, and has been much written about in recent years by Andrew Lang and others.

Colin Campbell of Glenure, who was the acting factor on the forfeited estate of Ardshiel, was found murdered in the wood of Lettermore not far from the ferry of Ballachulish in Appin on May 14th, 1752. Suspicion fell on two kinsmen of Ardshiel, Allan Breck Stewart as the actual murderer, and James Stewart of the Glens (whose home at Duror was about two miles from the spot of the murder) as an accessory. Allan escaped, but James was arrested and tried at the Circuit Court at Inveraray. The Duke of Argyle, Lord Justice General, was the presiding judge. In the jury there were eleven Campbells. The Lord Advocate prosecuted, an almost unheard of thing at a circuit criminal court. The trial had become a political and a tribal struggle. A Campbell had been killed in Stewart territory, and a Stewart must be sacrificed. With the head of the Campbells as presiding judge, along with a jury of Campbells, James Stewart had no chance. He was found guilty on September 25th, and the sentence pronounced on him was as follows :

‘ The said James Stewart to be carried back to the prison of Inveraray, and therein to remain till the fifth day of October next, according to the present stile¹ ; and then to be delivered over by the Magistrate of Inveraray and keeper of the said prison, to the sheriff-depute of Argyleshire, or his substitutes ; and to be by them transported to the shire of Inverness, and

¹ This refers to the “*New Style*” or Gregorian Calendar introduced in Great Britain on September 14th, 1752, seven days before Stewart's trial began.

delivered over to the sheriff-depute of Inverness, or his substitutes ; and to be by them transported to Fort William, and delivered over to the governor, deputy-governor, or commander in chief, for the time, of the said garrison, to be by them committed to prison in the said fort, therein to remain till the 7th day of November next, according to the present stile ; and then again to be delivered over to the sheriff-depute of Inverness-shire, or his substitutes ; and to be by them transported over the ferry of Ballachelish ; and delivered over to the sheriff-depute of Argyleshire, or his substitutes, to be by them carried to a gibbet to be erected by the said sheriff on a conspicuous eminence upon the south-side of, and near to the said ferry : and decern and adjudge the said James Stewart, upon Wednesday the 8th day of November next, according to the present stile, betwixt the hours of twelve at noon and two afternoon, to be hanged by the neck upon the said gibbet, by the hands of an executioner, until he be dead ; and thereafter to be hung in chains upon the said gibbet ; and ordain all his moveable goods and gear to be escheat and inbrought to his Majesty's use, which is pronounced for doom.'

It was in fulfilment of this sentence that the costs in the following Account submitted by the Sheriff-Substitute of Argyle were incurred.

The gibbet was erected on a mound near the south slip of Ballachulish Ferry.

TO THE RIGHT HONOURABLE THE LORDS
COMMISSIONERS OF HIS MAJESTY'S TREASURY.

MAY IT PLEASE YOUR LORDSHIPS.

In obedience to your Lordships commands signified . . . Mr. Hardinge the 15th of August last post we did take . . . into consideration the Petition of Archibald Campbell deputy Sheriff of Argyleshire hereunto annexed and did order the Deputy Kings Remembrancer to examine the account and . . . of the money expended by him in the execution of James Stewart for the murder of Colin Campbell of Glenure factor on the Estate of Ardsheal who did report to us that the whole vouchers . . . Disbursements charged by him and amounting to one hundred and eight pounds seventeen shillings and Tenpence were sufficiently vouched so that we are humbly of opinion he is justly entitled to payment of what he has so expended.

All which is Humbly submitted to your Lordships great wisdom by Your Lordships most obedient Humble

(Signatures illegible, much torn and faded.)

Edinburgh Exchequer Chambers 27th February, 1754.

The Appin Murder, 1752

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Account of Disbursements of Archibald Campbell Sheriff Substitute of Argyleshire upon the Execution of James Stewart who was hung in chains at Ballichilish the 18th November 1752 for the Murder of Mr. Campbell of Glenure.

To the Sheriff's Expenses in going to Fortwilliam with the prisoner to deliver him to the Sheriff of Inverness conform to the sentence per accompt.	Sterling. 9. 17. 1
To Wrights for making the Gibbet and coming from Fortwilliam to Ballichilish to put it up per Acc ^t & Rec ^t	10. 10. 0
To the Smith at Fortwilliam for Iron and making plates for the Gibbet and coming to Ballichilish to put on the plates per Acc ^t & Rec ^t	(torn)
To Mr. Douglas Sheriff Depute at Fortwilliam for one Executioner from Inverness, Timber to make the Gibbet Carrying the Gibbet to Ballichilish, Boats employed to Ferry the troops & sundry other articles per Acc ^t and Rec ^t	20. 13. 0
To Do. for a saill that was destroyed by the storm the day of the Execution it being made use of for a tent, and 16/- allowed further to the Boatmen being detained by Stormy weather per Mr. Douglas missive.	2. 5. 4
To the Sheriff's Expenses in going to Glasgow to engage an Executioner from thence not being sure of one from Inverness and not chusing to trust to one Executioner for fear of accidents.	1. 18. 6
To the Executioner from Glasgow and his Guard for their pains and expenses to Inverary the rest of their expenses being defrayed by the Sheriff per Acc ^t & Rec ^t	14. 10. 0
To the Smith at Inverary for making the Chains and going from thence to Ballichilish to put them on, His Expenses being defrayed by the Sheriff per receipt.	8. 0. 0
To the Sheriff's Expenses and his attendants consisting of 12 men and nine horses in going to Ballichilish and returning per acc ^t .	8. 12. 7
To paid the men hyred to guard the Chains, Sheriffs Officers expenses and diverse other Charges per Acc ^t	(torn)
Postage of Letters from the Lord Justice Clerk and Kings Agent for taking precognitions anent the murther and proceedings	2. 0. 0
	<hr/> £108. 17. 10

[Treasury Board Papers. Bundle 355 No. 184.]

The subsequent fate of the gibbet and the victim's body is told by Mr. David Mackay, who diligently collected the traditions of the district. 'The soldiers who guarded the gibbet used to allow friends of the victim to pay their respects to his mortifying remains. A very aged resident in Ballachulish

repeated to me the account given him in his early youth by an old Stewart lady of her pious attentions in wiping the dust from her clansman's dead face and of her terror in later months, when the bones were dry, at their clattering in the winds when she passed down the public road o' nights. The ghastly scene made day loathsome, and the restless bones—joined together with wire where Nature's joining had given way—made night weird in Ballachulish for several years. At last the old folks say a 'daft' lad determined to make an end of the local horror He overthrew the gallows, and cast it into Loch Leven, whence it floated down Loch Linnhe and up Loch Etive, finally landing, a strange piece of floatsam, near Bonawe. Here it found a humaner use, and was incorporated in the structure of a wooden bridge. The bones of its victim were secretly collected and buried by night, it is said, with the kindred dust of some of the Ardshiel Stewarts in Keil Kirkyard, in Duror of Appin. Bishop Forbes, in his journals of episcopal visitations, tells that young Stewart of Ballachulish carefully gathered the bones and placed them in the same coffin with the body of Mrs. Stewart.'¹

W. B. BLAIKIE.

¹ From Appendix XVII. of the admirably annotated modern edition of *The Trial of James Stewart*, edited by David N. Mackay. (Hodge & Son 1907.)

A Seventeenth Century Deal in Corn

‘ **A** PICKLE land, a lump of debt, a doocot and a law plea ’ is a proverbial saying in the kingdom of Fife, which describes with much accuracy the position of many of the lairds during the sixteenth and seventeenth centuries. With a depreciated and scanty currency, considerable taxation, and a depressed and inefficient agriculture, their living was always a precarious one ; and a bad season would frequently compel them to resort to the *facilis descensus Averni*, which commenced with a Band to a neighbouring laird, a Kirkcaldy merchant, or an Edinburgh Writer to the Signet, and ended in alienation of their ancestral acres.

The cadet branch of the family of Wemyss known as Wemyss of Bogie was typical of the small lairds in Fife, and indeed in Scotland generally. Their history, during the half dozen generations they lasted, from the end of the sixteenth to the end of the eighteenth century, escaped the notice even of the late Sir William Fraser ; and the considerable charter chest they left behind them passed into the possession of another family, by marriage, on the death of the last Sir James Wemyss of Bogie, Baronet, and have only recently become available for study.

They owned coal mines and salt pans at Kirkcaldy, and a large part of their revenue was derived from these sources. But the expenses of working were very great, and they were compelled to turn to other classes of business in order to raise funds for the development of their pits and for dealing with the ever-present danger of flooding.

The John Wemyss referred to in the correspondence below subsequently became the second baronet of Bogie, who inherited from his father a more than usually encumbered estate ; at the time, in 1696, Bogie itself was alienated, and John Wemyss was occupied in deals in coal, salt and ‘ victuall ’ with certain Kirkcaldy merchants and partners.

R

On 1st April, 1696, John Wemyss, along with James Ross and Alexander Williamson, merchants, negotiated with one Nicoll Young, skipper of the *Elizabeth* of Findhorn, to take his vessel north and fetch a cargo of barley and meal from Inverbreackie to Kirkcaldy. The charter-party runs as follows:

'That is to say, the said Nicoll Young has fraughted, and be thir presents setts and fraughts to the saidis Johne Wemyes, Alexander Williamsone and James Ross all and hail his Barke callit the Elizabeth of Findorne, and for that effect oblidges him to have his said Bark sufficiently lighted with ane skilfull companie of seymen for navigaiting of his s^d Bark from the harbour off Dysart to the Port of Inverbreckie in Ross and their to ly six dayes for intaiking of and loading of Bear and meall at the said Port, and from thence, winde and weither serveing, to sail and transport the saide shippe and loading to the Harbor of Kirkaldie and their to ly three dayes for intaiking such ane loading as the said fraughters shall finde convenient, to be unloaded in any port within the Murray Firth, and I, the said Nicoll, oblidges me not to suffer any of the saidis merchants goodis to be damnified through his or his companies default, sea hazard excepted.'

In return for his services the skipper was to receive:

'eighteen pounds Scotts money, and that for each chalder of the s^d Victuall shall be measured out either at her Returne to Kirk caldie, or at any point she shal aryve at in Murray firth, and with ane barell of ale and ane boll of meall together also with Towadge and Rowadge and pittie pillitage and other dewties, conforme to the custoume of the sea . . . with the soume of Three pounds Scotts for ilka day y^e s^d Barke sall be longer detained at any of the ports than the lydays above said.'

The partners then decided that 'Jeams Ross' should travel north and meet the ship. On 30th April, 1696, instructions were given to him in the form of a 'Comisione,' which runs as follows:

Memorandum. The laird of Bogie and Alex^r Williamsone to Ja: Ross.

Imprimis. When you get to your port designed be cairfull to see y^e sufficiency off y^e hold of y^e weshell.

2. to tak good cair to see y^e victuall be good, weel dryit and holsome and good measure, and, for y^e meall I pray you look well to it.

3. y^t you advert with the skyper not to come out of any harbour withoot a bearing gell (*gale*) of wind for ye mair securitie;

and fear all shyps at sea, you keeping y^e shoar aboard. Stand not upone a little cost in harbouring at all convenient occasions.

4. If you can gitt a bargain of good bear, meall and outes, to be delyvered at Kirkcaldie free of all hazards and costs, we are satisfied to give Eight pounds Scots for each boll, paybell within a moneth after delivery, y^e quantitie not being above sex hundredthe bolls. Hope you may doe it cheaper.

5. If it should fall out, as God forbid, y^t you should be tucke by a french privitier, then and in y^t uncaise, you sall goe y^e lenthe of four hundredthe pounds Scotts for ransom of y^e meall and bear; but I hop you sall doe it cheaper. And, in cais it be that ye master be unwilling to ransome his shippe, then we allow you to pay y^e lenth of fiftie pound sterling money, qch we oblidg ourselves to pay, bill upon sight.

JOHN WEMYES.

ALEX^R WILLIAMSONE.

Kirkcaldie ye 30 April 96.

Armed with his 'comisione' James Ross started on 1st May, 1696, on his journey north 'to Inverbrekie in Ros,' and the 'accompt' gives in some detail the expenditure involved in those days in travelling on business to a place 155 miles from home.

The horse hire was at the rate of two shillings a mile, to which must be added the charge for a man and boy. The whole amounted to '1 lib 14s' daily while travelling. When not actually engaged in moving from place to place 'my awin chairges ech day was 1 lb 4s a day.' On arriving at Inverbrekie, Ross tells us he spent some days 'goieng through the Kuntray inqweiring for mor victuall, conforme to comition,' and eventually had to go to Fraserburgh. The meal, amounting to 34 bolls, was delivered in bulk for shipment; and the accompt includes an item of £8 Scots for '35 ells of secking at 5 shillings the ell to hold the meall.' Entertainment of 'the skipper and his crewe and those that put the victuall aboard' cost £7, and £2 was expended on 'information of privetteers.' When the coast was reported clear the *Elizabeth* left for Kirkcaldy and James Ross returned by land, with a total account of expenses amounting to £118.

On the back of the charter-party is endorsed a receipt by the skipper for freight at £10 Scots per chalder for a cargo of 250

bolls (sixteen bolls to the chalder), with the boll of meal for his own use 'in caplachin'¹ as arranged.

Meanwhile a letter had arrived from Isabel Countess of Seaforth, sister of the Earl of Cromarty, addressed to 'Jeams Ross at the shoarhead of Kirkadie' with the following instructions :

'to put aboard of skiper Youngs ship as many coalls as she can cairy. Since I am to pay at the rate of 18 chalder of victuall (*grain*) mak the bargain as well as ye can wi him, and let the condescendance be in writ.

Send half a last of whyt salt also try if you can get a good penyworth of linen cloth and adverte me at what rate. And if any of your aquwantances has good upright tyken (*ticking*) to mak lat them mak it lyk the patron I gave you.

Tak cair the coalls be good. I lou (*like*) not a dead heavy coall that burns not briskly.

I have only given you seven pounds sterling at this tym.'

This order was complied with and the Collector of Customs at 'Inverbrackie' certified, in due course, that William Young 'brought to the Road his bark loadened w^t coalls and lyvered the s^d coll for the Countes her use,' and took back another cargo of barley and meal.

In the account of this transaction James Ross states that he sent '15 dozens of colls at £6 Scots per dozen,' and 7 bolls of 'salt' packed in 'barralls being all good oaik stands.' The salt cost £2 per boll and the 'barralls' were £1 each, and the total due amounted to £105 13s. 4d. Scots.

The Dowager Lady Seaforth acknowledged receipt of the goods in August, 1696, and sent '3 pound sterlen' to complete payment. She adds : 'ye neided not sent oaken trees (*barrels*) with the salt for they are of no use to me after. the skiper said such as he had for eightpence good enough.' Finally, with the balance, after paying for the coal and salt, she asks 'Jeams' to 'by (*buy*) linen, about 18 penc the ell, and a bit harn to wrap it in,' and begs him to 'send me all your news publik and privat'; she signs her letter 'your assured frind Isobell Seaforth.'

The partners having taken delivery of their cargo of 250 bolls of bear and meall proceeded to divide it. After allowing for the one boll given to Skipper Young they should each have

¹ "Caplachin" (variously spelt) is really an old German word ; it is sometimes translated as "hat money." It means a tip to the master for care of the cargo, over and above the freight he receives.

received 72 bolls of bear and 11 bolls of meall ; but they appear to have discovered an ' outcom ' of one boll for each 20 bolls of bear laden.

Trouble then began. They had already entered into a contract with Andrew Ross, Writer to the Signet in Edinburgh, to pay for the original cargo of ' 250 bols meall & Bear, good and sufficient Clean Coller, weel dight, to be measured with the old accustomed measure or firloft ' and to dispose of it to them at the price of £6 13s. 4d. Scots per boll. The money was to be paid by the first of July, under a penalty of 500 merks. The Laird of Bogie and his partners failed to implement this agreement, with the result that Andrew Ross got letters of ' horning and poinding ' against them on the 15th July.

After detailing the history of the case, this document charges ' our lovitts . . . messengers and sheriffs ' that ' incontinent, thir our letters seen, you pass and, in our name & authoritie comand and charge the saidis John Weemes, Alex^r Williamsone & James Rosse personally or at their dwelling places, to pay the amount due, together with the penalty of 500 merks, under the pain of Rebellion & putting of y^m to the horne, wherein if they faillzie that incontinent thereafter yee denunce y^m our Rebels & put y^m to the horne and moving all y^r moveable goods and gear to our use for their contemt and disobedience.'

The instructions were of course carried out ' incontinent ' by George M'Farlane, messenger, and the Laird and Alex^r Williamson were formally charged. James Ross was away and the messenger ' affixed ane Instrument upon his most patent door after six severall knocks given be me y^rupon, as use is.'

As no further reference appears in the dossier of this case to the debt to Andrew Ross it must be presumed the amount was paid. But for many years afterwards the division of the grain on the one hand and of the costs on the other occupied the attention of the partners. James Ross died a year or two afterwards ; but at least ten years after Skipper Young had safely navigated the bark *Elizabeth* to the harbour of Kirkcaldy we find correspondence between Alex^r Williamson and ' my dear gossop ' the laird—now Sir John Wemyss, Bt.—suggesting a final settlement of the accounts.

Judging by the list of debts left by Sir John at his death in 1712 it seems unlikely that Alex^r Williamson ever got his money.

BRUCE SETON.

The Earl of Arran and Queen Mary

IT is remarkable that with the unabating interest which gathers round the person and fortunes of Mary Stewart little regard has been paid to one whose career touched hers, sometimes very closely, during a period of more than twenty years. Bothwell is notorious. Arran, a man of nearly the same age, a prominent figure in the rebellion which ended in the Scottish Reformation, upon whom for many months the eyes of Protestant Europe were fixed, has been relegated to obscurity or caricatured as a shiftless idiot. The portrait of him in *The Queen's Quhair* is not a distinguished achievement in historical verisimilitude, if verisimilitude was intended: the brief sketch in the *Scots Peerage* is both inadequate and inaccurate: only in the *Dictionary of National Biography* is there any attempt to narrate a story which, apart from an almost tragic character of its own, has an important bearing upon events already familiar to the reader of history.

One or two striking facts in the life of Mary during the months which immediately followed her return to Scotland in 1561 suggest a closer examination of Arran's career. The Queen had not been three weeks in the country when there was a proposal to establish a body-guard. Besides casual references to the matter in the diplomatic correspondence, there are express statements in the pages of Knox and Buchanan which connect it with the ambition of the Hamiltons, and prove, if that were necessary, that the plan was no mere imitation of usage at the court of France, but the precaution of suspicion and fear. Information more detailed comes from an unpublished record in the Register House. The thirds of benefices, as is well known, were allotted to the Crown in order to meet an expenditure which had for long outgrown the patrimonial revenue, and which had prompted Mary's father and grandfather, with the connivance of the papacy, to appropriate on occasion the rents of the Church. Among the items of expense entered by the Collector for 1561, including the first assignation to the Reformed clergy, is the

cost of maintaining the guard ; and we learn that there was a body of eighteen archers in pay from January to March, 1562 ;¹ that on April 1 the whole guard was permanently ' erected,' drawing annual salaries amounting to £9000 Scots. Extracts from this record relative to the guard were printed by the Maitland Club in the first of its miscellany volumes ; but in those days editors were too modest to offer explanations, and it does not seem to have occurred to the contributor that the erection to full strength coincided exactly with the revelation of a plot against the person of the Queen, involving both Arran and Bothwell, or that the growth of the guard during the winter had been due to suspicions founded mainly upon the attitude of Arran and the Hamiltons, as the historians most clearly show.

Another fact cannot fail to arrest the attentive reader of this manuscript. Arran was consigned to the Castle of Edinburgh, where he lay for years. Warded nobles were expected to find their own living expenses. In this case the Collector of the Thirds was directed to allow a sum of forty shillings a day during the imprisonment. Why this departure from ordinary usage ? Was there anything in the situation, beyond Arran's periodical derangement of mind, to warrant exceptional treatment ?

To understand the meaning of Mary's body-guard and the peculiar circumstances of Arran's incarceration we must go back to the death of James V. in 1542 and follow a very strange career. The landmarks and the figures are familiar enough : the track is new. The way has its own interest, even though the general prospect is little altered ; and at points we shall find it worth while to have left the trodden path.

At the death of James V. only the uncertain life of an infant girl separated the Hamiltons from the throne. James Hamilton, eldest son of the second Earl of Arran, was some five years older than Mary ; and gossip among the patriotic immediately destined the one for the other. What more natural than that Cardinal Betoun should support Arran, son of a kinswoman and heir presumptive, and should look forward to an alliance between the children ? But Arran had been dealing with England, and was not sound in the faith. At the death-bed of James the Cardinal sought to exclude him from his lawful guardianship. Henry VIII., working upon Arran's resentment, gained a temporary success. Betoun was imprisoned ; and the little Queen seemed to be almost within the English grasp. At once

Sc. 1561-2.

reaction began. Arran saw that he was on the verge of political suicide : Lennox, of the house which stood next to the Hamiltons, was brought from France as at least a hint of what might befall : John Hamilton, Abbot of Paisley, upon whom the English wasted some diplomatic hospitality on his way from the continent, speedily corrected the views of the Earl his brother : Arran himself began to waver. The Cardinal, passing by easy stages from imprisonment to complete freedom, beguiled Henry by a show of conversion—until he had made his preparations and was ready to strike. While Henry expected a ratification of his treaty, Betoun broached to Arran the policy which gossip suggested at the beginning. What if his heir were to become the husband of Mary ?

The campaigning season of 1543, as was intended, passed away without resort to arms : the Scots engaged in diplomatic play-acting : Henry impatient, but sanguine. He did not get his treaty, or Mary, or young Hamilton. In November the Cardinal showed his hand : the boy was safe in St. Andrews Castle, pledge for the father and a subtle encouragement of his hope. Henry raged exceedingly in 1544. If it was necessary to deposit Mary at Dunkeld during Hertford's invasion, St. Andrews would be no place for the Master of Hamilton, and he was doubtless taken as carefully as she out of harm's way.¹

Arran was committed ; but under the military pressure, to be renewed in 1545, Betoun had to consider the question of an appeal to France and the possibility that Mary might have to be transported to the continent. The campaigning of 1545 did not compel this final resort : it served chiefly to confirm opposition to an English agreement and to strengthen the position of the Hamiltons.² Yet the Cardinal was seeking, it was said, to have Mary, as well as the Master, in his Castle, looking prudently to France and telling Arran he would keep her for his son.³ Betoun could not make up his mind. Francis I., still at war with Henry VIII., might be disposed to seize an opportunity for action in favour of Scotland.⁴ As for the boy, we learn that he was pursuing the study of Latin with a book of rudiments and a text of Aesop's fables.⁵

¹ *Hen. VIII. Cal.* xix. 510 ; *Tr. Accounts*, viii. 319.

² Bond by Huntly, Oct. 1545 (*St. Papers*, Reg. Ho.) ; letter of John Somerville to Mary of Guise (*Corr. of Mary of Guise*, Reg. Ho.).

³ *Hen. VIII. Cal.* xx. (2), 535.

⁴ *Ibid.* 926.

⁵ *Tr. Accounts*, viii. 440.

In the spring of 1546 the diplomatic situation was still unresolved. Some believed that France would consent to the Hamilton plan : others, including Henry, who had made peace with Francis, still hoped for a contract with Prince Edward.¹ The assassination of Betoun in May, while it weakened Scotland, had obvious advantages for the Regent Arran. The primacy stood vacant for his brother : he was himself delivered from an irksome control, and might prosecute more unreservedly the policy of his house. Unfortunately, however, the heir of Hamilton was at St. Andrews in the hands of the Cardinal's assailants, and might be given up, with the Castle, to Henry, who was at the same time using Lennox to obtain control of Dumbarton. Mary of Guise resolved to combine, for the moment, with the Hamilton party against England : Angus, sworn to Henry, was bribed by a promise of the Cardinal's vacant Abbey of Arbroath, and brought over his following.² The next step was to get possession of St. Andrews Castle by peaceful accommodation. As a precaution, young Hamilton was excluded by Parliament from his rights as third person of the realm so long as he remained a captive with its enemies.³ Negotiation failed : a siege became inevitable : the French anticipated the English : at last the Castle fell, and the Regent had his boy restored.

The restoration was but for a few months. Pinkie, a winter campaign, and an almost desperate situation, placed the French party in power : Arran failed to come to terms with England and keep Mary at home : Henry II., now ruler of France, would not give effective support until he held in pledge the heir of Hamilton.⁴ Out of the wreck Arran, by compliance, saved in the meantime his regency.⁵ Parliament authorised the French marriage, momentous for Mary and for Scotland :⁶ James Hamilton, the young Master, was already in France :⁷ his father, sick with sheer vexation, made a will resigning his children to the care of Henry II.⁸ To an avaricious man, who, as was afterwards said, more than money had neither faith nor

¹ *Hen. VIII. Cal.* xxi. 391, 439.

² Cf. *ibid.* 1043.

³ *Acts*, ii. 474 ; cf. Knox, *Works*, iii. 410.

⁴ *Sc. Cal.* i. 197, 218, 228.

⁵ *Ibid.* 336.

⁶ *Acts*, ii. 481.

⁷ *Tr. Accounts*, ix. 185 ; *Span. Cal.* ix. p. 269 ; *Sc. Cal.* i. 238.

⁸ *Hist. MSS. Rep.* (Hamilton), 53.

God,¹ the duchy of Châtelherault was some consolation.² As for his heir, there was written promise of a great marriage in France;³ and many things might occur within half a dozen years.

In 1550 the Master was put in fee of the earldom of Arran and lordship of Hamilton, with liferent reserved for his father, and became known thereafter as Earl.⁴ He followed the French court, as the boy captain of a company of men-at-arms, mostly Scots.⁵ We hear of him on active service in 1557, when his company took part in a gallant defence of St. Quentin against the Imperial troops.⁶ He would have an allowance, perhaps not too generous,⁷ from the revenues of Châtelherault, where he occasionally resided. In one letter from Mary to her mother in Scotland Arran is mentioned. It was in the summer of 1557, within a year of her wedding.⁸ Her own destination is taken for granted. Diana of Poitiers wishes that her granddaughter, Mlle. de Bouillon, who attends Mary, should be given to Arran. This would be very pleasant. Mlle. is a good girl: so fond of the Queen as to welcome any union which will not separate them; and Arran likes her. The plan appeals also to King Henry, for he undertook to find a lady for the Earl, and Mlle. de Montpensier [the lady of the original agreement] is now promised to another. But, for the honour of Scotland, please to make Arran a duke and speak of the matter to his father, to whom she has written a little note.

There is every sign of patronising good-will to her cousin in this girlish letter: he is not within her orbit, to be sure; yet quite a proper fellow for her faithful de Bouillon. To Arran the matter appeared in another light. It had never been perfectly certain that Mary should wed Francis. There was a party opposed to the Guises, and alive to difficulties with England arising out of French domination in Scotland. In 1551, for example, there had been talk of an Anglo-French marriage; while among the Scots there was a steady under-current of regret

¹ *For. Cal.* iv. 630 n.

² It was valued at 12,000 livres, and was granted Feb. 7, 1548-9 (see prints in the Châtelherault case (French, 1865) in the Lyon Office).

³ *Herald and Genealogist*, iv. 98.

⁴ *Acts and Decrees*, vii. 195; cf. *Reg. Ho. Charters*, 1621-2, 1427.

⁵ Forbes-Leith, *Scots' Men-at-Arms*, i. 189.

⁶ *Ibid.* 98-9.

⁷ *For. Cal.* i. 870.

⁸ *Labanoff*, i. 42.

for the decision of 1548. When Mary of Guise finally contrived to oust Châtelherault from the regency in 1554, her triumph was not merely personal. She had gained a political and imperial success for her house, if she could hold her ground ; but she had also disposed the Duke for reaction and revenge.

Young Arran was on familiar terms with his cousin. After all, the marriage with Francis was an affair of state, and on romantic grounds no entrancing prospect. Her regard for 'a comely young fellow'—as the Spanish ambassador in London described Arran¹—may have been sufficient to cause misunderstanding in one who never cherished inadequate ideas of himself. And it may not have been all misunderstanding.

When Francis died in 1560, Arran had in his possession a ring which, according to Knox, the 'Quene our Soverane knew well yneuch.'² Another scrap of information appears from a curious source. The Venetian and the French ambassador at the court of Spain were chatting about the escape of Arran from Henry II. in 1559, of which we shall presently hear. Religious heresy, the Frenchman held, was not the primary source of trouble : the heresy arose from personal resentment rather than from conviction. 'He had persuaded himself that the Queen of Scotland was to be no one else's wife but his.' Seeing Mary wedded to Francis, he was 'in despair and rabid,' more especially because Henry made no attempt to appease him from the disappointment. From that time he favoured the preachers, and entered upon correspondence with Elizabeth.³

Analysis of motive is a hazardous employment. From his very childhood Arran must have heard enough of his ambitious destiny ; and if love came in, love and ambition would commingle inextricably. To these Mary's marriage was a blow. As to religion, it was easy for the ambassador to be disparaging ; and it was true that Arran's Protestantism developed suspiciously after the wedding of Mary and the accession of Elizabeth. Yet the Protestantism, if it had a mixed and a factious origin, like much aristocratic Protestantism in France at the time, had more reality than that of the adaptable Châtelherault. Knox does not seem to have questioned it :⁴ Buchanan described Arran as in

¹ *Simancas Cal.* i. 39.

² *Hist.* ii. 137. Châtelherault sent a number of rings and other jewels to Mary in 1556 ; these seem to have been in his hands as Regent (Stoddart, *Girlhood of Mary*, 395).

³ *Ven. Cal.* vii. 140.

⁴ *Hist.* ii. 156.

1561 'the single defender of Gospel teaching':¹ long afterwards, in 1580, the Reformed Church remembered with solicitude his services to the cause.² An old engraved portrait of the Earl bears an inscription in French, dwelling upon the love, the ambition, and the barrier imposed by irreconcilable religious convictions.³

When it was seen that England would be a Protestant power again under Elizabeth, events began to move in Scotland and in France. The Reformers, threatened by Mary of Guise, took counsel with Châtelherault, who met Sir Henry Percy at the Border in January, 1559.⁴ Maitland of Lethington was welcomed in London; and he crossed the Channel⁵ with one object, at least, which we may conjecture. In February Arran established a small Protestant congregation at Châtelherault, for which he procured a minister from Poitiers.⁶ In the middle of May, after the treaty of Câteau-Cambrésis, diplomatic relations were restored, and Throckmorton went as English ambassador to Paris.⁷ Then it was that Arran received 'great offers' from the French King, if he would come to court,⁸ and that his Protestantism became seriously offensive. Henry II. was beginning to grasp the situation. On June 18 Mary, whose health was causing anxiety, took alarmingly ill. Peremptory orders went out at once to fetch Arran, alive or dead.⁹ The whole policy of France during these eleven years was in danger of being undone. The Earl was not found. He had taken warning: slipped out of the house in the darkness three days before the messengers arrived.¹⁰ One of the gentlemen sent to execute the command expected Mary to resent this usage of her cousin. No apology was needed, she said: he could not do her a greater pleasure than handle the Earl as an arrant traitor.¹¹ Here was the definite parting of the ways. Arran had professed to love her: now he was unmasked. To himself the affair appeared in a different light. He was the victim of persecution by the hated Guises, destined, as he firmly believed, for an

¹ *Hist.* xvii. 29.

² Calderwood, iii. 467.

³ Henderson's *Mary*, i. 226; where the engraving is reproduced.

⁴ *Sc.* 1558-9.

⁵ Russell, *Maitland of Lethington*, 35.

⁶ Beza, *Hist. Eccles.* i. 198; cf. *For. Cal.* ii. 45 n.; *Ven. Cal.* vii. 114.

⁷ Forbes, *Public Transactions*, i. 91.

⁸ *For. Cal.* i. 789; cf. 870.

⁹ *Ibid.* 868.

¹⁰ Beza, *ibid.* 319.

¹¹ *For. Cal.* i. 888.

exemplary execution.¹ When Francis died it was not mere obtuse vanity which encouraged him to offer Mary his hand : if he had rebelled against her, if his conduct was a menace to her crown of Scotland, there was something to be said in his defence.

Arran disappeared, with the connivance and the help of Throckmorton.² Elizabeth had suggested that he might cross to Jersey, and so to England ;³ but his portrait had gone to the harbours on the Channel, which were closely watched.⁴ In reality, the fugitive lurked for fifteen days in a wood near Châtelherault, subsisting upon fruit ; then, according to the plan which had been devised in Scotland,⁵ fled eastwards for Geneva, which he reached early in July.⁶ Probably he had time and opportunity to make the acquaintance of Calvin.⁷ Elizabeth and Cecil sent directions for a journey in disguise, by way of Emden, to England, and provided 1000 crowns for expenses.⁸ Of Arran's stay in Geneva, or of the vicissitudes of his travel to the sea-board, we hear little. It was not until late in August that Antwerp was reached. Cecil had commissioned Mr. Thomas Randolph to help him out⁹ —the beginning of Randolph's long connexion with Scottish affairs. How and where the two foregathered is not stated ; but they are said to have posed as merchants.¹⁰ On August 28 they appeared suddenly and secretly at Cecil's house in Westminster. M. de Beaufort, gentleman of the French King, obtained an interview at Hampton Court, received the requisite funds, and on September 1 departed for the north in charge of 'Thomas Barnaby.'¹¹ The Spanish ambassador was completely at sea : his French colleague could not certify Mary of Guise in time.¹²

Beaufort and Barnaby rode by night. They were at Alnwick early on September 6 : at three o'clock next morning they were secretly admitted into Berwick Castle.¹³ There Arran lay,

¹ Buchanan, *Hist.* xvi. 40 ; *Sc. Cal.* i. 871.

² *Sim. Cal.* i. 82 ; *For. Cal.* i. 870 ; ii. 385.

³ Forbes, i. 166.

⁴ *Sim. Cal.* i. 40.

⁵ *For. Cal.* i. 848, 974.

⁶ *Ibid.* 1075, 950 ; Forbes, i. 173.

⁷ Cf. Teulet, *Papiers d'état*, ii. 13 : where Knox seems to imply that they were personally known to one another.

⁸ *For. Cal.* i. 995, 998.

⁹ Randolph was at Bruges, August 24 or 25 ; *ibid.* 1203.

¹⁰ *Sim. Cal.* i. 40 n.

¹¹ *For. Cal.* i. 1274, 1290, 1293 ; ii. 71 n. ; *Sim. Cal.* i. 63.

¹² *For. Cal.* i. 1351.

¹³ *Ibid.* 1321, 1323.

awaiting the governor's arrangements. After dark one evening he was conveyed out of the Castle to the south bank of the Tweed. A gentleman met him : rode with him into Teviotdale ; and about one or two in the morning handed him over to a friendly Scot, who conducted him through the hills to Hamilton.¹ There Arran remained but one day : long enough to convince his father that he must throw in his lot with the Lords of the Congregation.² After despatching a message to summon Randolph³—things were going aright—he hastened to Stirling, brought the insurgent lords to Hamilton, and obtained his father's signature.⁴ Then he was off to St. Andrews, and back again early in October to mobilise 700 or 800 horse, 300 of them Hamiltons.⁵

Arran and Lord James were the military leaders of the rebellion against the government of Mary of Guise ; but they lacked the money to confront the French with a standing force. At the end of October a sum of £1000 sterling in the disguise of French crowns was on its way from Berwick under the charge of Cockburn of Ormiston. In the vicinity of Traprain Law Bothwell pounced upon the convoy, and rode off to Crichton with the money. Arran and Lord James left operations at Leith : missed Bothwell and his plunder by a few minutes : finally were compelled to evacuate Edinburgh. Bothwell, irritated by the loss of his valuables and charters, to obtain which Arran had made a special expedition to Crichton, was glad to have the opportunity of proclaiming his enemy a traitor, and sent a challenge to single combat. He was ready to defend his honour before French and Scottish, armed as Arran might choose, on horse or on foot : he would offer, God willing, to prove that his antagonist had not done his duty either to authority, as a nobleman should, or to the challenger. Arran replied that he had never threatened any true subject. Bothwell deserved what he had got : his deed, which was that of a thief, did not entitle him to seek combat with a man of honour. ' And quhen soevir ye may recover the name of ane honest man, quhilk be your lasche⁶ deide ye haif lost, I sall ansueir you as I awcht, bot nocht befoir Franche, quhom ye prepon in rank to Scottis,

¹ *Ibid.* ii. 136.

² *Sc. Cal.* i. 599 ; incorrectly dated Dec.

⁴ *Ibid.* 1356, 1365.

⁶ Cowardly.

³ *For. Cal.* i. 1351.

⁵ *Ibid.* 1416 ; ii. 73.

for thair is na Franche man in this realme with quhais judgement I will haif to do.' As for duty to authority, 'albeit I am nocht bund to gif you accompt, yit will I meyniteyn that thairin ye haif falslie leyt.' Thus was established a momentous enmity.¹

What had passed at Hampton Court between Arran and Elizabeth we do not know. The French story was that he sold the independence of his country—obviously a mere fabrication for his discredit.² Elizabeth had been very careful indeed: he must not, she said, misinterpret her kindness.³ Arran himself had a shrewd suspicion that he was a tool; and he had his own views, as the English Queen doubtless knew. He was a Franco-Scot, after all: his eyes were still fixed upon Mary: if she died, there were his rights in the crown of Scotland: if Francis succumbed—and his was a precarious existence—both love and ambition might be satisfied. It was the common talk of Protestant Europe that he would gain the hand of Elizabeth, if the revolution in Scotland prospered. Sufficient then unto the day was the evil thereof.

It is needless to follow in detail the military operations of the winter. Depressed by the loss of Edinburgh and the doubtful prospects of the insurrection, Arran was offended when Knox preached at him as too 'close and solitary,' not mingling freely with his men for their encouragement.⁴ Yet in actual fight he was no laggard, and brave to recklessness. Huntly thought he should not adventure too far in skirmishes; for the whole weight of the matter stood on him.⁵ Knox, referring to the foolish boldness of some, mentioned with anxiety 'these two young plants,' Arran and Lord James.⁶ Randolph wrote enthusiastically to Cecil of his loyalty to the cause, and of his 'daily hazards.'⁷ Something may have to be deducted from the language of those who looked for a Protestant King, to vindicate the cause and, possibly, become the husband of Elizabeth; but there can be no question that Arran was a strenuous leader and a loyal coadjutor with Lord James.

In April, 1560, the pace at last began to tell, and we have the first hint of a breakdown. Arran was forced to leave the camp before Leith and rest in his father's lodging in Holyrood.⁸

¹ *Sc. Cal.* i. 558-566; cf. 1092; Knox, i. 454 ff.; ii. 3.

² *For. Cal.* ii. 467, 524 n.

³ *Ibid.* i. 1022.

⁴ Knox, ii. 9.

⁵ *For. Cal.* ii. 594.

⁶ *Sc. Cal.* i. 638.

⁷ *Ibid.* 713.

⁸ *Ibid.* 722.

Mental pre-occupation and lack of repose seemed to be the cause, as well they might. Elizabeth's vacillation was at the moment causing Maitland of Lethington the gravest apprehension: he 'never had greater fear' since he was born.¹ Arran's position was even more distracting. Francis and Mary had been trying to detach him from England: there were offers from the French Protestants:² if Elizabeth failed, and the power of the Guises in Scotland was not crushed, what were his prospects of the throne? Of Mary? Even of personal immunity?

The Treaty of Edinburgh realised his fears. The French were not driven into the sea, nor was Mary deposed. When Cecil came north to the negotiations it was Lord James Stewart, as he reported to Elizabeth, who had the personality and qualities of a king.³ The Hamiltons were left in the air; and Arran was now more than ever conscious that he had been the tool of England. Interest and prudence made Châtelherault stipulate, under the treaty, for restoration to his French lands;⁴ while Elizabeth sent a 'most gentle letter' to him during the diplomatic discussions, and promised to preserve the persons of himself and his son.⁵ The Duke feared Mary's resentment, and was inclined to cultivate Elizabeth. This brought him into line with Lethington and Lord James; but he had also to consider the Châtelherault property and his son Lord David, who had been in the hands of the French since Arran's escape.⁶ In the meantime he entered heartily into the plan that a Reformation Parliament should offer Arran in matrimony to Elizabeth. The threat to Mary's crown might extract from her a confirmation of the Treaty of Edinburgh, and so at least secure the lands.

Whether it was that Arran dreaded acceptance, distrusted Elizabeth, or was cajoled by the French⁷ and preferred to take a risk for Mary, the first obstacle to the match was the official bridegroom. Before Parliament met he wrote in French to the

¹ Russell, *Maitland of Lethington*, 57.

² *For. Cal.* ii. 758, 894.

³ *Sc. Cal.* i. 821.

⁴ Keith, i. 305; *Sc. Cal.* i. 856. The revenues were sequestrated in 1559 (Châtelherault case, *ut supra*).

⁵ *Sc. Cal.* i. 877.

⁶ *Ibid.* 879 (p. 457). The lands were not released by March, 1561 (*ibid.* 983).

⁷ *For. Cal.* iii. 224.

English Queen, under the supervision, we may suspect, of his father and Lethington.

Madam—Though the nobles and people of this realm have good reason to thank your Majesty for their lives and all they have in the world, with this good peace, I myself am infinitely more obliged for your favour, never so little merited by one of my quality, in saving me from the hands of those who sought my death, and restoring me safe to my country, again possessed of its old liberty : above all, for once in my life having had opportunity to contemplate the singular graces which God has so liberally bestowed upon you. I can but offer your Majesty my most humble service in any way it pleases you to employ me, praying the Creator to grant whatever your noble heart desires.¹

There is little sign of enthusiasm on Arran's part. It was a curious circumstance that, when Lethington set off with his colleagues on embassy, Randolph at once proceeded to keep a very close eye upon his young friend, who flung himself into a short but arduous siege of Castle Sempill. Arran had his quarters with other lords in a barn, where the English agent was, as he related with rueful humour, 'the least of six that lay in one bed.'² Probably his duty was to keep the candidate for Elizabeth in a proper frame, and counteract the effect of communications which would be certain to arrive from France.

At last, on December 8, Elizabeth declined the Scottish offer, not absolutely, but with a hint that Arran should look elsewhere. Even if she did not know that the Queen of France became a widow on December 5, she had heard from her ambassador that the King was in a critical state, and that Arran's name was already mentioned in connexion with Mary.³ He was deeply committed to Protestantism both in France and Scotland.⁴ Could English policy settle Mary with a Scottish husband and remove her from the continental market ?

Lethington and the other envoys did not publish Elizabeth's answer ; for the next step required deliberate consultation.⁵ Meanwhile Arran had returned from some thorough work among the border thieves, not, apparently, very inquisitive about his chances with Elizabeth, but concerned more with the death of Francis. What a deliverance for the persecuted ! He heartily rejoiced, and took occasion to praise God.⁶ Lethington's apprehensions were soon justified. Without waiting for official proceedings and a consideration of Elizabeth's answer in a

¹ *Sc. Cal.* i. 871.

² *Ibid.* 196.

³ *For. Cal.* iii. 738.

⁴ *Cf. ibid.* 870-1.

⁵ *Sc. Cal.* i. 945.

⁶ *Ibid.* 934.

formal convention of estates, Arran took the bit between his teeth. Early in January, 1561, he mentioned to Randolph that he was sending to France: friendly letters to Navarre and the Constable,¹ and a message of loyalty in passing to Elizabeth, who might be suspicious now that God had opened so 'patent a way' for his alliance with the Queen of Scotland. Knox had been taken into confidence, and was no doubt aware of the real intention.²

Randolph thought there was more in the matter than was avowed. He was right. This was doubtless the occasion, recorded by Knox, when Arran, in the hope that Mary 'bare unto him some favour,' wrote his letter and sent the ring she knew.³ Was it megalomania? Or had he been misled by French diplomacy? Throckmorton was convinced that Mary hated Arran: yet she had been surprisingly cordial to his messenger.⁴ By January 24 her reply was given.⁵ On February 6 Lethington informed Cecil that the Earl was 'greatly discouraged'—by Elizabeth's answer, of course.⁶ The discouragement had in reality a different root. Knox adds that Arran took the answer as final, and made 'no farther persuyte,' though he bore it 'heavelie in harte,' more heavily than many would have wished.⁷

It had been comparatively easy to unite Parliament on the project of marriage with Elizabeth: when it came to a marriage with Mary—and the plan was actually discussed—there was an end to Lethington's cherished unity.⁸ According to Randolph, Arran was still corresponding with Mary, who kept him in play. His hopes were visionary, the Englishman thought.⁹ The old Duke expressed high disapproval of his son. Writing to Mary on his own initiative had ruined any prospect of his becoming candidate for her hand by the authority of the estates. Mary, too, meant mischief to the Hamiltons. He was himself disposed to retain the regard of Elizabeth.¹⁰

Lethington and Lord James now definitely dropped Arran. The basis of agreement with England was to be recognition

¹ His supporters for Mary's hand (*For. Cal.* iii. 870-1).

² *Sc. Cal.* i. 945; cf. 966.

³ Knox, ii. 137.

⁴ *For. Cal.* iii. 919.

⁵ *Ibid.* 928.

⁶ *Sc. Cal.* i. 958.

⁷ Lang (*Hist. of Scot.*) prints 'wotted' for 'wished,' which, from other instances, apparently = 'wished.'

⁸ *Sim. Cal.* i. 123.

⁹ *Sc. Cal.* i. 966.

¹⁰ *Ibid.* 964, 966, 972.

by Elizabeth of Mary's right to succeed her, and on the other side, admission of Elizabeth's status by confirmation of the Treaty of Edinburgh. That recognition Elizabeth could not risk ; yet she was intensely interested in Mary's matrimonial fate, and the fact that Lethington and Stewart avoided the point did not diminish its importance for her. Two years later Lethington told the Spanish ambassador in London that when Francis died Elizabeth would have had a fresh agreement with the Scots and Châtelherault, whereby Mary should be bound to marry in Scotland ; but he himself and Lord James refused. Danger from France was over ; and the Queen, they held, ought not to be constrained. Elizabeth, Lethington said, was dissatisfied : the Duke annoyed.¹ It is plain from this and other evidence that England was using the Hamiltons, with their interest in the confirmation of the Treaty of Edinburgh, to counter Lethington and Lord James. This fact has not been kept sufficiently in view by historians in connexion with Mary's passage to Scotland in August, 1561, and her unexpected arrival at Leith. There was something in the theory of the Spanish ambassador at Paris. He conjectured that Elizabeth designed to shepherd Mary towards the west, where the Hamiltons held Dumbarton and their main power lay.²

Lord James had gone officially to France in April, and had talked with Mary. There must have been interchange of views about the Hamiltons ; but the dash for Leith took everyone by surprise. When the news spread, Châtelherault was the first important arrival, probably from Kinniel : then came Lord James : Arran third.³ If the Hamiltons had a plan to deal with Mary and checkmate Lord James, it was upset. On Sunday there was mass at Holyrood, Lord James keeping the door—what he had told Knox from the beginning that he would do.⁴ On Monday came the clever proclamation of Council, forbidding any public alteration in religion and any interference with the freedom of the household. Arran alone stood forth at the Market Cross of Edinburgh to protest.⁵ In July, Elizabeth had assured the Hamiltons that she would support their right, should Mary die without issue, on one emphatic condition—their adherence to the Protestant cause.⁶ The assurance was certainly

¹ *Sim. Cal.* i. 215 ; cf. 139.

² *For. Cal.* iv. 337 n.

³ *Sc. Cal.* i. 1010.

⁴ Knox, ii. 143.

⁵ *Ibid.* 270-5.

⁶ *Sc. Cal.* i. 992.

politic in the case of the Duke, who had been wavering : Arran, says Knox, ' stude constant with his brethrene ' : he even assisted at the burning of his uncle's Abbey of Paisley.¹

Thus we have Lord James and Lethington working with Mary : Elizabeth doubtful of their intentions : Knox thundering against the mass : Arran uncompromisingly Protestant: the Duke not sure of his line, inclined to curry favour with the Queen, but suspicious of her attitude to his house. At this juncture we hear first of the projected body-guard. James Stewart of Cardonald was to be captain ; but Lethington had gone to see what could be made of Elizabeth, and there was delay.² The mutual distrust between Mary and the Hamiltons is evident. They were excluded from their natural place in the realm. The Queen, said Randolph on September 7, ' takes great suspicion of fortifying Dumbarton, and has sent one to see it.'³ A day or two later she went to Linlithgow : whereupon Châtelherault and Arran betook themselves to Hamilton, for Linlithgow and Kinneil adjoined too closely.⁴ Arran was inexorably opposed to the mass : declined to come to court : cultivated the precise Protestants : was afraid of Bothwell : could not get funds from his father.⁵ The Duke, as acting Governor during the revolution, took the rents of St. Andrews from his brother the Archbishop, who was on the wrong side of politics, and allotted them, with those of Dunfermline and possibly Melrose, to his son. Bothwell now claimed Melrose by the Queen's gift, while the Council decided that Arran's tenure of the two others should cease.⁶ Though Randolph attributed Châtelherault's refusal of finance to mere ' beastlynes,'⁷ there was reason in it. Arran's love of Mary was notorious, and resources might lead to indiscretion.

How far the Duke was coquetting with the reactionaries against Lord James and Lethington it would be difficult to say.⁸ While Lord James was absent at the Border courts, the Catholic bishops, including the Primate John Hamilton, appeared at Holyrood ; and one night Mary ' took a fray.' The guard must

¹ Knox, ii. 156, 167.

² *Sc. Cal.* i. 1017 (Sept. 7).

³ *Ibid.*

⁴ *Ibid.* 1018.

⁵ *Ibid.* 1035.

⁶ *Ibid.* index *sub voc.* ; Collector-General of Thirds, 1561, f. 69 ; Knox, ii. 298.

⁷ *Sc. Cal.* i. p. 563.

⁸ Cf. *ibid.* 1081 ; *Sim. Cal.* i. 143 ; *For. Cal.* iv. 713, 717, 750

be augmented: Arran was coming to take her.¹ Randolph saw no signs of a plot. Lord James, on his return, immediately discharged the watch. Yet the story of a plan to kidnap the Queen continued in circulation. In January, 1562, she had twelve halberdiers, and proposed to double the number.²

Arran's position had become intolerable; and there is little wonder that he turned his eyes towards France, where political and religious controversy was coming to a head. There could be no doubt of Mary's ineradicable dislike and suspicion; but neither she nor anyone else in Scotland cared to let him go. In December there had been a scandal. One of Mary's uncles, with Bothwell and Lord John Stewart, raided the house of an Edinburgh burgess which Arran was said to visit in pursuit of an intimacy with a young woman named Alison Craik. There were obvious advantages to be gained by compromising this Protestant champion and laying hands on him.³ The affair nearly ended in a full-dress battle of the 'Cleanse the Causeway' sort. For the public peace something must be done.

It was thought that a financial provision for Arran and, if possible, reconciliation with Bothwell should be arranged. The Duke was to make an allowance from his liferent interest in the earldom, and the Queen contribute some position or benefice.⁴ On January 17 Arran came over from Kinniel to Linlithgow, where he presented his service to Mary. The interview was protracted and apparently cordial: Randolph expected soon to see him great at court.⁵ In February he attended the wedding of Lord James, or Mar, as he now became, and showed himself to the Queen, but had no taste for the festivities, pleading indisposition. Nor had he ceased to communicate with France. Mary was annoyed to learn that a messenger had embarked without her knowledge or permission.⁶

The root of the trouble was in Bothwell and his favour with Mary. Hatred, fear, and jealousy tormented Arran, and were unhingeing his mind.⁷ The Privy Council took the matter up, and promised protection to the Hamiltons under the Act of Oblivion.⁸ Knox was chosen as a suitable peacemaker.⁹ The

¹ Knox, ii. 293; *Sc. Cal.* i. 1049.

² *Ibid.* 1049, 1055.

³ Knox, ii. 315 ff.; *Sc. Cal.* i. 1056.

⁴ Cf. *ibid.* 1092.

⁵ *Ibid.* 1071.

⁶ *Ibid.* 1077.

⁷ Buchanan says that Bothwell proposed to Mar, who refused, to destroy the Hamiltons (*Hist.* xvii. 29); cf. *Sc. Cal.* i. 1081, 1083.

⁸ *Reg. Privy Council*, i. 203.

⁹ Knox, ii. 322 ff.

Reformer was delighted, if a little surprised. He improved the occasion by advising Bothwell to 'begyn at God': set himself to work; and after some effort procured a reconciliation on Tuesday, March 24, at Kirk-o'-Field. The Edinburgh people were astounded when Arran and Bothwell appeared in company at the Wednesday sermon in St. Giles'; while the Queen herself thought the sudden cordiality a little suspicious. On Thursday they dined together, and rode over to Kinneil with Gavin Hamilton, Abbot of Kilwinning, to see the Duke. Next day Arran was at Knox's lodging with an advocate and the town clerk.¹ He was betrayed, he said, bursting into tears: Bothwell proposed to slay Mar and Lethington and carry off the Queen for him to Dumbarton—a plot to involve him in a charge of treason. He would write to Mary at once.

Knox, who suspected insanity, tried to soothe him. Better to hold his tongue. If he had repudiated the scheme, Bothwell would never risk laying an accusation. This advice Arran rejected, wrote his letter, and returned to Kinneil.² The Queen's reply, directed thither and confirming him in his honourable purpose, fell into the hands of the Duke. There was a stormy scene between father and son. The latter retired or was confined to his chamber. There he wrote in cipher to Randolph at Falkland: made a rope of his bed-sheets and other stuff: after dark descended from his window, a considerable height: walked up the south bank of the Forth to Stirling, and so round to Hallyards, the house of Kirkaldy of Grange at Auchtertool, where he appeared on Tuesday morning, exhausted.³

On Monday, meanwhile, the Queen had taken the field with Mar, Lethington and Randolph. The cipher was delivered to Randolph, who was able to make it out from memory, was somewhat staggered, gave the substance to Mar and, at his desire, to Mary. As they conferred, the Abbot of Kilwinning rode up from the Duke. No weight need be given to this fabrication. Within an hour after the Abbot had been placed in custody, Bothwell came in with a similar story, and shared his fate. Next morning Kirkaldy brought word that Arran was at Hallyards—had been raving 'as of divels, witches, and suche lyke,' in mortal

¹ Alex. Guthrie, who had been town clerk for some years, was at present acting as dean of guild (*Extracts etc. Burgh of Edinburgh*, 1557-71, 302).

² Randolph makes him write from Kinneil on Saturday (*Sc. Cal.* i. 1089). He also says that Knox advised revelation (1090).

³ The details are derived from Randolph (*Sc. Cal.*) and Knox.

dread of violent death. Mar rode over and brought him to Falkland, where he saw for himself—what Knox had already written to him—that the Earl was insane, under the hallucination that he was the Queen's husband.

On Wednesday, April 1, the day of the full 'erection' of the body-guard, the court passed to St. Andrews, Bothwell and Kilwinning sent on before to the Castle, Arran taken in the Queen's company.

What was to be made of the whole business? As Arran gradually recovered it seems to have dawned on him that in his frenzy of hate for Bothwell he had compromised his own father. Randolph was sent to see him, and found him 'in all common purposes' perfectly sensible, but unsatisfactory on the subject of the plot. Mary herself paid a visit, and asked him to tell the truth. Yes, he would—if she would marry him. There must be no conditions, she replied: he must justify his letters or own that he did wrong in writing.¹ Reading Livy with George Buchanan one afternoon, the Queen came upon a saying which struck her as apposite: 'safer not to accuse a bad man than to accuse him and see him absolved.'² Still an effort was made to get to the bottom of the affair. In presence of the Council Arran insisted on the charge against Bothwell, and was prepared for single combat or a trial, whichever the Queen preferred: the accusation against his father he withdrew without qualification. A second examination was no more successful. The Duke now summoned up courage to appear at St. Andrews, wept before the Queen like a beaten child, and denied the whole thing in Council. So it was resolved to take the opportunity of obtaining the surrender of Dumbarton Castle, and to go no further. Only, as Randolph said, Arran was 'not yet like to escape.' Mary had no justification for taking his life; but she would not be content without 'good assurance.'³

That assurance she obtained. Arran was conveyed to Edinburgh Castle, kindly enough, in the Queen's coach;⁴ and there he remained for four weary years, suffering for the sins of his house as much as for his own. A week or two after his arrival, he had a visit from Mar and Morton. They found him, said Randolph, 'in good health, his wits serving him as well as ever they did,' and eager to be at liberty; but liberation was not expedient.⁵ Mar, it would appear, distrusted the Hamiltons

¹ *Sc. Cal.* i. 1090.

² *Ibid.*

³ *Ibid.* 1095.

⁴ *Diurnal of Occurrents.*

⁵ *Sc. Cal.* i. 1111.

too deeply to dispense with a hostage.¹ In the spring of 1563 Randolph definitely exculpated Lethington, and left Cecil to infer that Mar—or Moray, to be exact—was chiefly responsible.² Yet in him, the old comrade in arms, the captive had a pathetic faith. 'My lorde,' he wrote, 'I am here in daynger of my lyf for revelinge the treason ment agaynst the Quenes Majestie and yourself: therefore succour me.' 'Have compassion on me as ye would God should have on you, my lord my brother; for so long as I live I shall be true to you, as you have some experience.'³ In December, 1563, he attacked his attendant: in 1564 he was seriously ill, but in the autumn his father found him well, melancholy, patient, desirous of liberty. The unfortunate man's freedom was still inexpedient. Catherine de Medici had not ceased to regard him as a possible husband for Mary, or to hope that he might return to the faith and take vengeance on Moray.⁴ Twice in January, 1565, the Queen dined at the Castle—just before Darnley came upon the scene. The first time Arran did not ask to see her: the second, she spoke with him and kissed him, but his words were few, 'scarce so much as remission for his offence or desire for liberty.' In summer he was ill again, and suicidal: in autumn, worse: by the early spring of 1566 he had lost his speech.⁵

At the beginning of May, 1566, the long durance ended.⁶ Mary was already in the Castle, expecting the birth of an heir. Moray and Argyll, restored after the Riccio affair and ready now to conciliate the Hamiltons, became sureties in a large sum for Arran's behaviour.⁷ He departed to his house, and to comparative obscurity till his death in 1609. And yet he was not entirely forgotten. In 1580, when the Hamiltons had been forfeited, we read among the articles of supplication presented by the General Assembly to James VI.: 'that in respect of the good and godly zeale of James Lord Arran, alwayes showed in defence of God's caus and commoun wealth, it will please your Hienesse and counsell to resolve upon some good and substantiall order, which may serve both for health and curing of his bodie and comfort of his conscience.'⁸

R. K. HANNAY.

¹ *Ibid.* 1129.

² *Ibid.* 1171.

³ *Ibid.* 1174.

⁴ Hay Fleming, *Mary, Queen of Scots*, 94.

⁵ *Sc. Cal.* ii. *passim*.

⁶ *Collector-General's Accounts*, 1565; the *Diurnal* has April 26.

⁷ *Sc. Cal.* ii. 378; *Diurnal of Occnrrents*.

⁸ Calderwood, iii. 467.

An Old Scottish Handicraft Industry

THE earliest mention of hand knitting in England appears to be a statute, passed in the reign of Henry IV.,¹ but no early records of the handicraft in Scotland are found. In 1564 the Register of the Privy Council of Scotland contains references to the importation of stockings; but coarse woollen ones were no doubt spun and knitted at home from much earlier times. The stocking frame, which was invented by Lee during the reign of Queen Elizabeth, was rapidly taken up in England and the industry localised at London and at Nottingham; but no knitting machinery was introduced in Scotland until 1773, although there had been a considerable export trade in knitted stockings for over a hundred years before that date.

In the seventeenth and eighteenth centuries Aberdeenshire was peculiarly suited for the development of a handicraft industry. Owing to its troublous history, the system of land tenure in the northern part of Scotland was still largely feudal,² for as late as 1745 the power of a Highland chief depended upon the following of men he was able to bring into the field. Although the greater part of the county is Lowland in population and in the character of the terrain, it borders the Highlands proper and was therefore subjected to constant raids and spreachs: cattle lifting was only systematically put down after the '45, and the county was the scene of several pitched battles such as Harlaw and the fight on the braes of Corrichie. It was natural that the local landowners should have lived in semi-fortified houses and encouraged as large a 'tail' of retainers as their land could support, until about the end of the seventeenth century or even later.³

¹ David Bremner, *Industries of Scotland*, p. 172.

² Matheson, *Awakening of Scotland*. pp. 17-18, also 278-9. Meikle, *Scotland and the French Revolution*, p. 9.

³ *Report on the Agriculture of Scotland* (to the International Agricultural Congress, Paris, 1878). Watt, *County History of Banff and Aberdeenshire*, pp. 293-4; see also chapters ii. and ix.

The exceedingly wasteful system of agriculture—known as the ‘runrig’—which was almost universal in Aberdeenshire down to nearly the end of the eighteenth century, also tended to encourage a large rural population whilst¹ producing little to maintain it.

Aberdeenshire was like many other parts of Scotland in having a population too numerous for the land to support² adequately, but she was more fortunate in her closeness to foreign markets. Scotland was at that time both poverty-stricken and backward;³ rents and wages were largely paid in kind; the population was principally agricultural, raising and preparing its own wool and flax, spinning and if need be dyeing the yarns at home, and employing a local weaver to turn them into tweels (coarse diagonal cloth),⁴ linen and blankets. The great industries of shipbuilding, iron work, tweed manufacture and others were in embryo.⁵ There was therefore neither a wealthy middle class nor a large artisan population to buy the produce of the countryside. An industry was thus dependent on export for any market beyond immediate domestic consumption, and so elementary were the means of inland communication that easy access to a port was a necessity in order to carry on such a trade. Lack of means of communication is given by Mr. F. Mill, Perthill Factory, Aberdeen,⁶ as the reason why the stocking industry did not spread through the interior of Scotland, and the history of the linen trade bears out this statement. All through the eighteenth century it slowly spread to less and less accessible places; and even during the boom, just before spinning machinery had become widely known, it had barely reached the remoter parts of the Highlands.

But Aberdeenshire was well situated in respect that the town of Aberdeen was the second or third largest port in the

¹ Alexander, *Northern Rural Life in the Eighteenth Century*, ch. iv. and p. 19.

² Scott, Preface to *Rob Roy*. Watt, *County History of Aberdeenshire*, pp. 293-4.

³ Graham, *Social Life in Scotland in the Eighteenth Century*, ch. i. and v.

⁴ Bremner, *Industries of Scotland*, p. 146. *Memoirs of a Highland Lady*, Mrs. Smith (née Miss Grant of Rothiemurcus), p. 180. *Transactions of the Highland Society*, vol. ii. p. 244.

⁵ Bremner, *Industries of Scotland*, pp. 32, 58, 145. *Aberdeen Daily Journal*, 14th August, 1920.

⁶ A linen manufacturer who had been largely instrumental in opening up the Highland flax spinning industry, had travelled widely in the north of Scotland and won one of the gold medals offered by the Highland Society in 1799 for an essay on the development of Highland industries.

kingdom,¹ and had an important trading connection with Holland and Germany.

Stonehaven in the southernmost part of the stocking-making country, also had a harbour and was renowned for its smuggling activities. Although roads were bad or non-existent, the central northern and coastwise parts of the country are open and undulating, and even in the seventeenth century were constantly traversed by peddlers.

The stocking-knitting industry sprang into activity very rapidly in the second half of the seventeenth century. A Report on the Revenues of Excise and Customs in Scotland in 1656 gives particulars of the export of a considerable quantity of coarse plaiding from Aberdeen, but makes no mention of the stocking trade. But in 1676 the industry was already established in the county, and Mr. Pyper, the principal merchant engaged in it,² employed four hundred women to knit and spin for him, and encouraged good workmanship by gifts of money or linen—'so that from five groats a pair he caused them to work at such fynness that he hath given 20s. sterling and upward for the pair.'

The industry must have been widely distributed by 1680, for in a letter written in that year and attributed to the Lady Errol of the day, the following passage occurs: 'The women of this country are mostly employed spinning and working of stockings and making of plaiden webs, which the Aberdeen merchants carry over the sea; it is this which bringeth money to the commons; other ways of getting it they have not.'

Five years later Bailie Alexander Skene of Newtile also mentions the trade. He says that the Aberdeen merchants brought the wool from the south of Scotland and sold it out in 'smalls' to the country people, who spun it and either wove it into fingrams or plaidings or knitted it into stockings.

These quotations taken together suggest that sometimes the workers were employed on commission and sometimes did their own purchasing and selling. As late as 1745 James Rae, in his *History of the Rebellion*, writing of Aberdeen says: 'The manufacture here is chiefly of stockings, all round the adjacent country, and every morning women bring in loads to sell about the town to merchants, who have them scoured for exportation

¹ Watt, *History of Aberdeenshire*, pp. 309-14.

² *Writings of Bailie Skene of Newtile*, quoted by Alexander in *Northern Rural Life*, p. 134.

to London, Hamburgh and Holland. They are generally all white from the makers and knit most plainly ; some are ribbed and a great many with squares which greatly please the Dutch.' Another method of disposal was by means of the peddlers, who were a numerous and prosperous class at that time : Sir Henry Craik estimates that there were 2000 in Scotland in 1707 with 'considerable capital.'¹

A series of letters between one of these chapmen and his wife is still preserved. They are undated, but from internal evidence must have been written during the first half of the eighteenth century. The chapman was in the habit of travelling through the northern part of Kincardineshire, exchanging tea and other luxuries for eggs, butter and stockings, whilst his wife looked after their shop in Stonehaven and their little croft close by. Every now and then he crossed over to Holland to buy stock. Both Pennant and Francis Douglas, who travelled up the east coast towards the end of the century, only mention stockings worked on commission.

All authorities seem to agree that most of the wool used for stockings was brought from the South, which is not surprising, as neither Aberdeenshire nor the Highlands were at that time wool-raising countries. But a limited amount of the local 'tarry wool' was sent South to be treated and then brought back, and it has been suggested that it was of these fleeces of the fine scanty wool of the original highland sheep² that the very fine stockings were made, for which Pyper paid twenty shillings a pair, and similar ones which at a later date fetched four or even five times this sum. In the earlier accounts the wool was carded and spun by the women, originally with the rock or distaff, but after 1712 four times as quickly with the spinning wheel. By the³ latter half of the century the merchants had begun to give out the wool ready spun, and it is probable that from the beginning of the nineteenth century they bought the wool ready for knitting in the great wool-spinning centres of the south of Scotland.

There was considerable variety in the quality of the stockings made. Rae wrote that 'They make stockings here in common from one shilling a pair to one guinea and a half, and some are

¹ As early as 1695, 500 merks was not an unusual amount of capital for a peddler.

² Before the introduction of the coarse, long-fleeced blackfaced or more recently of the Cheviot.

³ Alexander, *Northern Rural Life in the Eighteenth Century*, p. 135.

so fine as to sell for five guineas the pair.' Pennant says that the rate of payment in northern Kincardineshire was about fourpence a day, and several travellers put the rate of production at two pairs to two and a half pairs per week. Douglas notes that the very fine stockings worth £3 to £4 a pair took a woman nearly six months to knit, if she worked constantly. By the end of the century earnings were said to average from two shillings to half-a-crown per week. It would appear, from the authorities quoted, and from the minister of Raynes' contribution to the first *Statistical Account*, 1792, that it was quite usual for the people to pay their rents by what they earned by knitting stockings; no doubt they subsisted upon the produce of their farms or crofts.

In 1779 Mr. Wright, in his report to the Commissioners of the Annexed Estates in Aberdeenshire, writes that 'the women are so well employed in knitting stockings as scarce to undertake field work, even at sixpence,' and that the demand for knitters had raised servants' wages.¹ Mr. Wright described how the women knitted as they walked along the roads, and Pennant states that although they might have earned a penny a day more at flax spinning they preferred knitting as it left them freer to move about.

In the second half of the eighteenth century the industry had become strongly localised. Kincardineshire was divided; in the south the women all span flax, probably largely home-grown, for the good soil of the Mearns was well adapted for that 'scourging crop.' The northern part of the county was at that time very barren, and the stocking industry reigned supreme. Aberdeen itself was one of the principal spinning centres in the kingdom. In 1745 the Board of Trustees had given a grant towards² a spinning school and the wives and daughters of the artisans were soon filling spindles by the thousand. A certain amount of surplus yarn was produced in some parts of the county, as for instance in the Peterhead district, which afterwards started a thread industry of its own; but on the whole the women remained faithful to their worsted stockings, and the Aberdeen

¹ This is especially noticeable, for nearly all travellers in Scotland writing in the eighteenth century have commented on how much more field work the women were accustomed to do than in England. Simond likened them to the French peasant women, and an anonymous writer has recorded his disgust at seeing women carrying manure on their backs to the fields.

² D. Bremner, *Industries of Scotland*, p. 228.

weavers drew most of their supplies from Moray, Ross and above all Caithness.

In Huntly many silk stockings were knitted, and Aberdeen also carried on this trade to a certain extent. Later on, when the spinning of weft had spread to Caithness, Aberdeen specialised in thread making, and Banff and Banffshire, to the immediate north of the stocking-making country, became even more eminent for their linen thread, which they exported to Nottingham for lace and thread stocking making.

Between 1750 and 1795 seems to have been the most prosperous time in the stocking industry. In 1771 there were twenty-two mercantile houses in Aberdeen engaged in it. In 1782 Douglas estimates that the annual value of the trade was £110,000 or £120,000 and that of this sum the merchants paid out about two-thirds for spinning and knitting, the remaining third being the cost of the material and profit. Pennant, writing a few years later, gives rather different figures, 'Aberdeen imports annually £20,800 worth of wool and £16,000 worth of oil. Of this wool are made 69,333 dozen pairs of stockings, worth an average of £1 10s. a dozen, for knitting. These are made by country people in almost all parts of the county, who are paid 4s. per dozen for spinning and 14s. per dozen for knitting, so that £62,400 is paid annually in the shape of wages. About £2,000 worth of stockings are made annually from wool grown in the country.' A writer quoted by Professor Scott in his Report to the Board of Agriculture for Scotland on the Home Industries in the Highlands and Islands estimates the value of the stockings exported from Aberdeen at £80,000 in 1758 and at £200,000 in 1784.

Sir John Sinclair, in his *Statistical Abstract of Scotland*, written in 1795, puts the annual value of the trade at between £70,000 and £90,000 per annum. He says the payment given to the women varied as a rule between tenpence and two shillings per pair of stockings according to size and fineness, and that they usually knitted two pairs or two and a half pairs a week.

At that date the manufacturers usually went round the country every four weeks, giving out the raw material and receiving back the finished goods. 'Had it not been for this employment, occupiers of small lots of land would not have been able to pay their rents, having hardly any other mode of earning money.'

This important trade, unlike other eighteenth century industries, seems to have been built up entirely without the aid of bounties,

protective tariffs, subsidies or philanthropic assistance. It is true that during the reign of George II. an Act was passed providing that 'all stockings that shall be made¹ in Scotland shall be wrought of three threads, and of one sort of wool and worsted, and of equal work and fineness throughout, free of all left loops, hanging hairs, and of burnt, cutted or mended holes, and of such shapes and sizes respectively as shall be marked by the several Deans of Guild of the chief Burghs of the respective counties.' But the Board of Manufactures was never entrusted with the careful supervision of the stockings, such as they exercised over the linens. In 1789 the newly established Highland Society offered a gold medal to the proprietor who 'shall have brought and settled on his estate, a person properly qualified to prepare the wool and knit and teach the knitting of stockings made of such wool, after the Aberdeen or Shetland method or both, and on whose estate the greatest quantity of stockings shall be made in proportion to the number of inhabitants.'

Prizes were also offered for the knitting of stockings, but the time of prosperity for the handknit stocking merchants was nearly over and many causes combined to bring about a decline in the trade.

One of the most direct causes was the closing of the continental market. The Central European War diminished the demand for stockings, and in 1795 when² France obtained the ascendancy she closed the Dutch ports to Scottish trade. The home market for knitted goods had however improved. Scotland had become a much richer country and a flourishing industrial life was rapidly developing. There can have been but little demand for better class women's stockings; for even school-girls with any pretensions to gentility only wore worsted hose in the mornings and when there was no 'company' present;³ and all through the eighteenth century the lower classes in Scotland mostly wore linen underware.⁴ Still a certain amount of trade grew up in fishermen's jerseys, in Kilmarnock bonnets and in hosiery for the home market.

A more serious rival had entered upon the field in the form of the Hawick frame-made stocking industry.

The first stocking frame was introduced from England in

¹ Alexander, *Northern Rural Life in the Eighteenth Century*, p. 139.

² Watt, *County History of Aberdeenshire*, p. 320.

³ An old letter in the possession of Col. Grant, C.B., Muchalls Castle.

⁴ Mrs. Smith, *Memoirs of a Highland Lady*, p. 189.

1771 by Bailie John Hardy.¹ So rapidly did the industry grow that by 1812 there were 1449 frames in that town and by 1844 there were 2605 frames in Scotland; but the machine industry did not tend to establish itself in the handknitting country, for no frames had, at that date, been introduced into Aberdeen or the county, and with the exception of 108 at Perth they were all south of the Forth.

But the local industry was not only affected by loss of a market and the introduction of machinery. The whole system of agriculture was undergoing a radical change and the rural population was correspondingly affected.² Enclosure, systematic drainage, scientific manuring, the introduction of the turnip, and with it five or seven shift rotations of crops were having a cumulative effect upon farming. Struggling tenants were giving place to the well-trained working farmer employing two or three or more full-time farm servants.

Better housing and metal agricultural implements gave employment to craftsmen specialised in the necessary trades, and the new industries developing in the towns tended to divert labour from the land. Mere figures do not represent the completeness of the change, for if the numbers of labourers on existing farms were reduced, many more were required to cultivate the new land that was reclaimed from the waste and to bring the 'outfield' portions of the older farms under regular tillage. The 1845 *Statistical Account* contains constant reference to the great alterations, and many writers comment on the economy of labour introduced by the new system.

The decline in the flax-spinning industry, which took place about this time, affected many districts, notably Banffshire and³ Caithness, where there was difficulty in finding workers willing to spin at the old rates. In Orkney the competition of machines killed the trade a few years later. And the very rapid adoption of spinning machinery rather points to shortage of hand workers, if it is compared with the leisurely progress of the power-loom, when there was a large supply of hand-loom workers.⁴ In Ayrshire, which is largely a dairy country, the Glasgow spinning mills did cause unemployment, but the surplus home workers were quickly diverted to hand embroidery.⁵

¹ D. Bremner, *Industries of Scotland*, p. 174.

² Alexander, *Northern Rural Life*, pp. 4-6.

³ D. Bremner, *Industries of Scotland*, pp. 225, 227.

⁴ *Ibid.* p. 233, etc.

⁵ *Ibid.* p. 306.

There was however a considerably greater number of women workers upon the land than at present. Before the invention of the automatic binder, the turnip driller and other newer machines, women were constantly to be seen working in the fields in Aberdeenshire.¹ In certain parts of the country the rural conditions were also slightly abnormal, and it is in those districts that the stocking industry survived longest. The new *Statistical Account* published in 1845 states that in eleven out of forty-four parishes of Aberdeenshire and in the northernmost parish of Kincardineshire there was a considerable manufacture of stockings. They formed a fairly large group in the northern part of Aberdeenshire, but one or two are scattered further south. Fetteresso, in Kincardineshire, has poor soil, and at that time the richer portions nearer the coast were largely undrained, unfenced and divided up into uneconomically small holdings.² Alford and Tough were at that time much cut off from the outside world. The former was very backward, and an unusual number of women were employed on the land. The stocking trade did not amount to more than £200 per annum, but there was hand spinning for a local weaver of tweeds. In the adjoining parish of Tough the larger farms were said to be good, but the many small crofts were backward, and the minister writes, 'A number of the females employ themselves in knitting stockings for a mercantile house in Aberdeen. The worsted is furnished to them at their own houses, and they are paid for their work at the rate of 3½d. or 4d. a pair. About 3,000 pairs of excellent worsted stockings are in this manner made in the parish yearly.'

The parish of Birse also has a poor soil and consists of rough hilly ground; at that time it was mostly divided into crofts. Curiously enough the industry had not only survived, but had reverted to an earlier form. The women bought their own wool locally, had it carded at a mill and spun and knitted it themselves.

'Though the profits in this manufacture be extremely small, yet it affords occupation to a great many females who would otherwise be idle, and furnishes a ready employment for fragments of time. A very expert female will spin and knit a pair of stockings in two days. For these she receives generally from a shilling to fifteen pence when brought to market, of which sum, however, not more than one half is the remuneration for her

¹ Many older people resident locally have commented to me on the change.

² A pamphlet written by Mr. Paul, late factor to the Muchalls estates, and privately circulated.

labour, the other half being the price of wool, carding, and spinning. One individual will manufacture about three stones and a half of wool in a year, out of which she will produce from 120 to 130 pairs of stockings. Few of the females so employed are entirely dependent on this work for their subsistence, the profit of it being scarcely sufficient for this purpose. Many of them are partly employed in outdoor labour, where they can earn higher wages. In times however when such is not to be had, or when the season does not admit of it, or when age and infirmities have debarred them from it, the stockings are the never-failing resource. And so much is this the habitual employment of the females, especially the elder and unmarried, that, if a person were to go into the dwelling of such and find the shank absent from her hands, he might regard it as an unfailing symptom of indisposition.'¹

In the northern part of the county, where the stocking industry was more generally prevalent, there is much bleak upland country, especially in the Cabrach district, and on the upper reaches of the Ythan and Urie. Fyvie and Rayne, in addition, showed great disparity in the size of their holdings, which varied from crofts to farms of 300 acres, and both these extremes tended to produce knitters; in the case of the crofts, a subsidiary employment to eke out subsistence was welcomed; the larger farms at that time employed several women field workers, who generally lived together in a sort of barrack on the bothy system and having no home occupations knitted in the evenings. Old Meldrum, which lies in lower country, was rather more industrial in character, and had a considerable number of hand-looms, which at that time were no doubt feeling the competition of the factories.

In almost every parish the industry is spoken of as a declining one in the middle of the nineteenth century. The younger women were said to be giving it up, only the old and less able-bodied, who were fit for nothing else, being said to carry it on in Kennethmont, Leochel and Cushnie, and Turrif. In Kieg, where 5000 pairs were made every year, it was evidently carried on by the married women, for the minister remarks, 'It may be observed that this is an employment which does not interrupt their attention to many of their domestic concerns in or out of doors.'

Most of the writers attribute the decline to the poorness of

¹ *New Statistical Account of Scotland*, vol. xii. p. 786, 1845.

the wages paid, the minister of Methlic saying that payment had been reduced from two shillings or three shillings per pair to fourpence halfpenny. But in this case there was probably a change in the work performed, for he says himself that the earlier rates were for spinning and knitting, whereas in 1845 the woman was probably only required to knit. The average payments seem to have varied from threepence halfpenny to fivepence a pair and weekly earnings were calculated at a shilling or eighteen pence per week. The industry had in fact reached a typical stage in the history of home-handicrafts and the Report of the House of Commons Select Committee on Home Work, written in 1907 and referring to other industries in other parts of the United Kingdom, contains a passage that might exactly describe it: 'As the payment for Home Work is necessarily at piece rates, those who are slow, owing to age, feeble health, inexperience, incompetence, or lack of power, energy, or disposition to work, and those who for any reason find it difficult to secure and retain employment elsewhere, find it more easy to obtain this kind of work than any other, and they drift into it and settle down to it as a method of earning a livelihood.'

In 1845 there were nine hosiery merchants in Aberdeen,¹ and, with the exception of Birse, the work seems to have been invariably given out by agents, who visited the country districts every month, receiving and paying for the stockings and supplying more wool.

In the very early years of the nineteenth century the first representative of one of the largest and best known stocking firms settled at Huntly. His great-grandchildren still preserve one of his daybooks, dated 1812, and describe how he used to drive about in all weathers, in a dogcart, in the bleak upland districts round the Buck o' the Cabroch, giving out and collecting the work, which he shipped to London.

By about 1880 gloves and socks were the articles most usually made, and the industry had shrunk to the district immediately round Fyvie. Only one or two merchants were engaged in the trade, who employed collectors to call at the small scattered hamlets. They gave out the wool with directions how it was to be used, and in most of the villages there were groups of women, under the charge of the most experienced knitter. They were all widows or single women too old to work in the fields, who supplemented the 'Parish Money,' or what little pittance their

¹ *Statistical Account*, 1845, p. 39.

families or savings brought them in, by their earnings at knitting. An old man who used to be employed as a collector has told me that the usual rate of payment was eightpence for a pair of gloves. The picture he gave of the knitters' life was far from unattractive; in the afternoons and evenings they usually met to work together, and they would sit round the fire, while one member of the party was always employed in keeping the kettle boiling and the teapot replenished after its frequent rounds, and although the earnings seem scanty according to modern standards it must be remembered that the agents only earned about £1 a week, and a woman field worker usually received £2 per half year in addition to board and lodging.

No figures are available giving the exact amount of output, but up till about thirty years ago the industry continued in the Fyvie district to quite a considerable extent. About that time the fashion in knitted goods began to change, and lighter, thinner fabrics were preferred. The machinery used in the south had also been improved and was more fit to produce highly finished articles. Messrs. Spence therefore decided to build a factory at Huntly to cope with the growing demand, although they continued to employ a certain number of out-workers on the heavier hand-knitted articles and upon sock-making up till 1914. The more highly skilled work of knitting fancy hose tops continued to be a handicraft long after the shanks were usually machine knit. This branch of the industry was carried on by a comparatively few skilled knitters scattered over the county, and indeed beyond its borders. About ten years ago these elaborate tops ceased to be admired and much plainer stockings came into fashion and the fine fleecy hose which are now preferred can be better knit by machinery than by hand.

The practice of knitting socks for home consumption is also on the wane. About fifteen years ago every 'auld wifie' and most younger women wore leather belts with a pad covered with perforated leather into which they could stick their knitting needles when they were not in use, but nowadays this is less common.

The final blow to the industry came through the War. Special sock machines were introduced to meet the sudden demand, and only about forty home hand-workers are now employed round about Huntly. Their work is entirely subsidiary to the machines, seaming the sides and the backs of the stockings, making the little tassels for 'rat-tailed' garters, and doing similar work.

This work is well paid, and although the home-workers, who are mostly girls who have left the factory to be married, seldom 'sit at their work,' their earnings often amount to more than two pounds per week. The old industry has not deteriorated in its change from hand-work to machine-made goods, for under the older conditions the beautiful textures of Lhama and Khashmere wool and the exquisite modern dyes were not available. And the newest machinery is so skilful and so much under the control of the worker that with a smoother finish it almost gives that sense of personality and distinction that the human hand alone can produce.

ISABEL F. GRANT.

Reviews of Books

THE POETICAL WORKS OF SIR WILLIAM ALEXANDER, Earl of Stirling.
Edited by L. E. Kastner, M.A., Professor of French Language and Literature, and H. B. Charlton, M.A., Lecturer in English Literature—Volume the First. The Dramatic Works, with an introductory essay on the growth of the Senecan tradition in Renaissance tragedy. Pp. ccxviii, 482. With Portrait. 8vo. Manchester : at the University Press. 1921. 28s.

It is a pleasure to handle and read this substantial volume, well printed on thick paper with adequate margin. The Manchester University Press are to be congratulated upon the publication, and these congratulations must be extended to the Scottish Text Society, without whose co-operation, as the Editors inform us, an edition on this scale of Sir William Alexander's works would hardly have been possible.

The present volume includes only his tragedies ; a second will follow and complete his works. Nearly one-half of the volume is occupied with an introduction which embodies a learned and critically exact exposition of the history of tragedy, not so much from its origin in the great Greek dramatists, as from its new birth in the tragedies of Seneca. The overpowering sense of fate, of divine retribution in the Greek tragedies, the lurid atmosphere of spiritual nemesis, inspiring religious awe and terror, disappear in the Senecan tragedies, and in their place a climax not of supernatural terror, but of human ruin and horror, is reached ; and reached after much brilliant rhetoric and abundant moralizing upon the brevity of life, and the uncertainty of the affairs of mortals.

In the Renaissance in France and Italy it was easier to follow tragedies written in Latin than those written in Greek, and the Church, moreover, discovered in Seneca much admirably expressed philosophy as to the transitoriness of earthly things, and the ruin that inevitably engulfed all evildoers ; a philosophy which they could easily adapt to medieval tastes and habits of thought, and which might produce upon the vulgar those religious impressions which the Church desired to inspire and intensify. The Senecan tradition, therefore, rather than the Greek was taken up and carried on in these countries, as well as in our own. Indeed one of the most interesting chapters in the introduction deals with the Senecan tradition in the history of English tragedy in the sixteenth century, and the influence of France and of Italy upon English writers during that period. As regards Alexander's *Monarchicke Tragedies* the editors sum them up as being 'final crystallisation of all the tendencies of Seneca of the French school' ; and certainly

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one can see that between Euripides and Alexander there is a great gulf fixed.

Alexander was born in Menstrie near Alloa about 1570. He was educated in Stirling and at the University of Glasgow; he travelled on the continent with the seventh Earl of Argyll: he became a member of the household of Prince Henry, son of James I.; he was knighted; obtained a grant not only of Nova Scotia but of what is now Canada and a great part of the United States: he attempted much and effected little in the encouragement of the colonization of his vast territory: he was created a Viscount and afterwards Earl of Stirling: he was an able and vigorous administrator in many offices of State, and in particular was for many years and until his death Secretary for Scotland. He died in poverty, but honoured and regretted. His life was largely spent in England, and a part of it in the times, and doubtless in the society, of the mighty Elizabethans.

His tragedies are contemporaneous with the great romantic tragedies of Shakespeare. But he was only a minor poet after all. One reason for the present fine edition of his works is that they do contain some good poetry; poetry so good that it was read and admired by Milton. Another reason is that his tragedies appeared in successive editions during his own lifetime from 1603-1637, and were carefully revised by himself, his revisions consisting largely in the expunging of Scottish words and phrases and of archaic, provincial and pedantic words; these numerous changes show a 'growth in grace' from a literary point of view over a period of more than thirty years. The present edition carefully notes the variant forms, so that the changes of taste not only in the author himself, but doubtless also in others, during a period of transition from Elizabethan to Jacobean and later ideals can be traced with great particularity and in a highly interesting way. If Boswell eliminated his native Scotticisms in pronunciation, so Alexander did in his style and language in a way which meets the eye and can be appreciated in the present day. He was a courtier and an author, a man of affairs and a student, and he lived in a period of intense literary life and output. His change of taste, therefore, as shown by his revisions, is more than a matter of curiosity; it is a matter of value to all students and especially to Scottish students of language and style.

Since his death in 1640 his poems have been collected only once, in a three volume edition limited to 350 copies published in Glasgow in 1870-72, and an edition like the present, giving an exact reprint of the last edition issued during the author's lifetime, with all the variant readings, was certainly called for, and can be recommended to the readers of this Review.

A. S. D. THOMSON.

THE EVOLUTION OF PARLIAMENT. By A. F. Pollard, Litt.D., F.B.A., Professor of English History in the University of London. Pp. xi, 398. With illustrations. 8vo. London: Longmans, Green & Co. 1920.

PROFESSOR POLLARD has produced a bold, brilliantly-written and iconoclastic book. Upon its detailed conclusions there is likely to be, for many years to come, much fruitful discussion, but of its great merits, taken as a whole,

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there would seem to be room for one opinion only. This volume will stand beside Stubbs and Maitland on the shelves of future historians of the Mother of Parliaments. In forming this opinion it is not forgotten that Professor Pollard's contribution is not mainly a work of original investigation, that many researchers have prepared the way for even the most seemingly revolutionary of his conclusions or that, on the other hand, some of his modifications of long-accepted conclusions imply changes of nomenclature rather than of substance. Still, after fully weighing all such considerations, a distinct impression remains that Professor Pollard (by the convincing deductions which he now bases on a new synthesis of the results of the recent researches of himself and of others) has thrown the whole subject of the development of Parliament back into the crucible again. The consequences are likely to be far-reaching, hardly one of our complacently accepted conclusions escapes the necessity of justifying its form, or indeed its very existence anew.

Of the great debt owed by students of British medieval institutions to Bishop Stubbs all competent authorities are agreed, and the passage of time merely increases the sense of obligation, yet it need not be forgotten that the excessive, if fully deserved, veneration for all conclusions associated with the honoured name of Bishop Stubbs has interfered with the reconstruction of English constitutional history upon lines suggested by researches made possible only by his own achievements. The mass of evidence for parliamentary origins accumulated by numerous scholars, deriving inspiration directly or indirectly from Stubbs himself, has been too often used with timidity where it seemed to contradict conclusions drawn by him from premises less complete. Even the clear vision of a Maitland would seem to have been dimmed at times by gratitude and reverence towards his master. Yet the growing mass of evidence has been pressing with ever-increasing weight against the barriers, and at last the dam has burst. Mr. Pollard, writing with all due modesty and moderation, has carefully sifted and put together the whole mass of new material, and it is no longer safe to repeat the most cherished of the old propositions without verifying them anew. The views of Stubbs will henceforth require to be supplemented, in giving instruction even to the tyro, by those of Professor Pollard.

It has long been known, for example, that certain dates in the thirteenth century have received exaggerated importance in their bearing upon the composition of the English Parliament. Their prominence, in the writings of Bishop Stubbs, has in many cases been mainly due to accidents which have preserved, and brought to the surface, one set of writs of summons to Parliament rather than another. Almost every year, however, of the last quarter of a century has seen the industry of an increasing band of competent workers rewarded by the discovery of previously unknown writs. Emphasis has thus been greatly altered. New dates have become important, others, once considered crucial, are now relegated to a secondary rank. The growth of Parliament is seen to be even more of a gradual evolution than was formerly supposed. In this respect as in many others, it has been left for Mr. Pollard to give full expression to opinions, long forming, but hitherto expressed only in a tentative form.

All the old watchwords of English constitutional historians, 'the Parlia-

ment of the three estates,' 'the two Houses of Parliament,' 'the theory of ennobled blood,' and the like, have been here subjected to the acid test of a searching new analysis, and found wanting. For teachers of history, content to plod along the old paths that constant use has made smooth, this book is extremely disquieting. Not one of the familiar old stock phrases can be freely used again without renewed examination, old text-books and lectures will require to be rewritten. Professor Pollard has probably in places somewhat overstated his case, but, perhaps, his book is none the worse for that ; as it makes the challenge contained in his propositions the more emphatic and thus stimulates criticism suited to bring any necessary corrective. He has not, of course, written the definitive treatise upon the origin and growth of Parliament : far from it. What he has done is rather to unsettle all conclusions and to render necessary a new start from the foundations. Whether welcomed or resented, Mr. Pollard's book is one with which all historians will have seriously to reckon.

WM. S. McKECHNIE.

THE IRISH REBELLION OF 1641 : With a History of the Events which led up to and succeeded it. By Lord Ernest Hamilton. Pp. xviii, 461. 8vo. London : John Murray. 1920. 21s. net.

IN all the contentious annals of Ireland there is no more thorny tract than her Seventeenth Century history, and Lord Ernest Hamilton has added another volume,—an interesting and sometimes useful volume, be it said,—to the library of controversy. Mainly concerned with the history of Ulster, he has supplied a clear and able account of such disputatious topics as the Jacobean Plantation and the Insurrection of 1641 from what I suppose may be called the orthodox Ulster Unionist point of view. Lord Ernest writes an excellent straightforward narrative, at its best in detailing the military operations of the time. His story, encumbered as it is with Celtic patronymics and place names, is terse and vigorous : and were it supplemented, as it should have been, with a series of sketch maps, it would have supplied the student of Irish history with a narrative of events clearer and more comprehensible than most works dealing with the warfare of Seventeenth Century Ireland.

His account of the Plantation is also a useful summary and his discussion of its ethics and legality is interesting, though his conclusions seem based on a too implicit acceptance of the official story and the arguments of official apologists. Its denunciation of the defects of Ulster tribal society is probably not exaggerated ; but he does not seem to take into account the fact that those defects do not in themselves justify Government's dealings with the native Irish. It claimed the laudable intention of relieving the tribesmen from 'the oppressions and extortions' of their chieftains and assured them they were 'free subjects to the King of England,' but having confiscated the 'free subjects' land because of the chieftains' suspected treason, it then handed over the most fertile part of the tribal territory to alien colonists and the 'free subjects' found themselves, in Lord Ernest Hamilton's own phrase (p. 96), 'thrown back on the poorer lands.'

But when Lord Ernest Hamilton sets himself to achieve the main purpose of his book, one is disposed to be more critical. The purpose is nothing less

than to rescue the true facts about the '41 Rebellion from the misrepresentations of that notoriously bigoted and partisan historian, the late Mr. Lecky: and in so doing 'to present the bald truth... without any whitewashing of either British or Irish excesses' (Preface, p. vi). This would appear to be necessary, since Mr. Lecky was disinclined 'to face the truth' (p. 122)—his 'investigation of... facts was superficial' (p. 124)—he 'cannot be freed from the charge of wilfully misleading the public' (p. 125); though surprisingly 'his trained regard for truth forces from him damaging admissions' (p. 127). In a work which launches such serious charges against a historian of Mr. Lecky's eminence and reputation, one looks with a more critical eye than one might otherwise have done for proofs of the writer's historical equipment and experience, his ability to judge and collate evidence, his familiarity with the atmosphere and politics of the Seventeenth Century. As a mere fault of technique, I might adduce his very unsatisfactory method of reference to his authorities—'Carte' and 'Rushworth' quoted in footnotes without further specification may be taken as exaggerated examples of a persistent defect. The apparent readiness to accept the absurd story of a secret understanding between Ormonde and Sir Phelim O'Neill which accounted for Ormonde's failure to advance into Ulster after relieving Drogheda in March 1641-2 (p. 231) argues very little for either Lord Ernest Hamilton's capacity to weigh evidence or his study of his authorities.¹ The insinuation on p. 125 that Lecky suppressed the record of the proceedings at Sir Phelim's trial (which Miss Hickson only re-discovered in 1882) is all the more remarkable in that the evidence supports Lecky's own supposition to which Lord Ernest Hamilton alludes four pages previously² that most of the actual massacres were 'acts of provoked retaliation.' And the elaborate argument on pp. 117-119 designed to confute Lecky's perfectly true statement that 'the fear of the extirpation of Catholicism by the Puritan party was *one* cause of the rebellion' is vitiated throughout by failure to recognise what ought to be notorious to a student of Seventeenth Century history—that the 'Puritan party' and the Presbyterian Scots were not identical, even in the eyes of the native Irish. It is as idle to deny that the *fear*, whether justified or not, was one cause of the

¹ It is difficult to understand how anyone could treat the story seriously in face of the documents printed by Carte (*Life of Ormonde*, Oxford Edn. of 1851, vol. v. pp. 296 *et seqq.*)—particularly Ormonde's Instructions from the Lords Justices of 3 March 1641-2, his letter to them of the 9th, theirs to him of the same date, Sir John Temple to him of the 10th, to say nothing of the letter from Ormonde and his fellow officers to the Lords Justices, dated the 11th.

² Hickson's *Ireland in the Seventeenth Century*, vol. i. p. 159 *et seq.*: and the long abstract of proceedings, vol. ii. pp. 181-192. Lord Ernest Hamilton states that Judge Donnellan summed up the evidence at the trial: Miss Hickson prints the notes which Lord Ernest Hamilton seems to be quoting as 'the Lord President's Speech.' The Lord President was of course Sir Gerard Lowther (Bagwell's *Ireland under the Stuarts*, ii. pp. 304-305)—a point worth noting, as Lord Ernest Hamilton attaches some importance to Donnellan's being 'himself an Irishman.' Not having seen the original MS., I cannot say whether Lord E. Hamilton or Miss Hickson is in error. Dean Ker, who was present at the trial, says in his 'Declaration' (written in 1681) that Donnellan was one of the judges, but not that he presided.

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Rebellion as it would be to deny that the English Puritans' belief in a vast Catholic conspiracy to extirpate English Protestantism was one cause of the Civil War.

It is of course on the famous Depositions, now in the Library of Trinity College, that Lord Ernest Hamilton chiefly relies in his task of showing the inaccuracy of Lecky's account of the Rebellion. Whether they are perfect material from which to reconstruct 'the bald truth' might perhaps be questioned; the experience of the years that followed 1914 ought to have brought home to the historical student the unfathomable depths of credulity to be found in truthful and honourable people during times of danger, of alarm, of excitement. The Depositions certainly vary enormously, considered simply as historical evidence. Some are reliable; some are worthless; most of them vary between the two extremes, each one containing information of every degree of the two qualities; and their value in establishing historical truth depends entirely on the historian's *method* of using them. Lord Ernest Hamilton's own account of them is tolerably accurate, (Preface, pp. vi-vii), though it conveys, I think a false impression of the proportion of reliable eye witnesses' evidence to mere hearsay, for the greater part of the Depositions consists of manifest hearsay report, so far as murders and atrocities are concerned. But Lord Ernest Hamilton, when he comes to describe the course of the Rebellion in Ulster, neglects the canon of criticism he himself lays down. He appears to accept every statement that the Depositions contain—I hope I do him no injustice if I say the Depositions as printed by Temple and Borlase and Nalson and above all Miss Hickson—with an entire and indiscriminating impartiality. The cumulative effect of this uncritical repetition of massacre and atrocity is undoubtedly horrible. But—to use his own phrase about Mr. Lecky's work,—'it is not history.'

That the Ulster Rebellion was stained by ghastly atrocities admits of no doubt, and that the Depositions contain many tales only too true in their frightful details is not to be denied; but it is equally certain that the general picture suggested by an uncritical catalogue of the worst of them, such as Lord Ernest Hamilton provides for his readers, is historically false and untrustworthy. It is not an easy matter to 'cross examine' these long-dead witnesses; nevertheless a skilful comparison and collation of the original depositions can do a great deal to establish truth of detail, as may be seen in a book which might be commended to Lord Ernest Hamilton's notice—Dr. Fitzpatrick's collected papers, dealing chiefly with the Rebellion in Co. Down.¹ Dr. Fitzpatrick's general conclusions about the Rebellion are just as biassed as Lord Ernest Hamilton's, though in a different direction, and his style is not suggestive of reasoned impartiality; but he has shown how the Depositions can be made to test one another and what a first-hand examination and critical analysis of them can do to correct and modify the traditional story of the Insurrection. Lecky's sketch still remains the most trustworthy

¹ *The Bloody Bridge, and other Papers relating to the Insurrection of 1641.* By Thomas Fitzpatrick, LL.D. Dublin, 1903. The 'Bloody Bridge' is near Newcastle, Co. Down, and Dr. Fitzpatrick's first paper demonstrates conclusively the inaccuracies of the traditional story of the massacre there in the spring of 1642. Lord Ernest Hamilton repeats all the inaccuracies on p. 237 of his book.

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and accurate account of the Rebellion, despite Lord Ernest Hamilton's attempt to impeach its veracity. It is indeed a relief to turn to its temperate judgments, its carefully balanced conclusions, to say nothing of its sympathetic knowledge of human nature and psychology, after Lord Ernest Hamilton's presentation of what appears to him to be 'the bald truth'; and if Lord Ernest Hamilton's book has the effect of sending his readers to the perusal of Lecky's pages, it will not be the least of its claims to possess some real historical value.

St. Andrews.

J. W. WILLIAMS.

THE ANNUAL REGISTER: A Review of Public Events at Home and Abroad for the Year 1920. Pp. xii, 492. Demy 8vo. London: Longmans, Green & Co. 1921. 30s. net.

ONE views events as a constantly changing picture: the year's summary puts them more flatly on a map. The map of 1920 has few allurements: coal prices, strikes, Ireland, Mesopotamia, India, they are with us: and Sinn Fein with murder and reprisal, is perhaps the most gruesome figure in the nightmare. The year passes without visible rainbow in the home sky. Abroad, the League of Nations is not rooting itself deep yet it is making a gallant effort and remains a working aspiration and reality. The election of Harding as successor of Woodrow Wilson is a reversal of United States policy as regards intervention in Europe but there are different ways of international co-operation. Holland's refusal to surrender the Kaiser for trial is welcomed by many men of sense. France is difficult to satisfy and the Germans are maladroit when not perverse. But time is on the side of the quiet life and men of good-will turn again to science, literature and art. Science reports great progress in the wireless telephone. Old doctrines are rediscussed—the age of the sun, the nature of evolution in relation to the transmission of acquired characters, the return of influenza, and the life history of the eel, now proved to journey for breeding purposes to distant Atlantic depths. Literature has produced Mrs. Asquith: her critic thinks the Autobiography ephemeral: a fairer view may be that the pen-portraits are permanencies, the life-witness of current history. Among the public documents scheduled are the official reports on Jutland by Jellicoe and his officers. The obituary is numerous rather than distinguished but it includes Peary, discoverer of the North Pole, Mrs. Humphry Ward, Admiral Fisher and the Empress Eugenie. The 'Annual Register' never fails in that high, calm, tolerant and impartial spirit which has always been its central inspiration.

GEO. NEILSON.

THE ECONOMIC DEVELOPMENT OF FRANCE AND GERMANY, 1815-1914. By J. H. Clapham, Litt.D., Fellow of King's College. Pp. xii, 420. 8vo. Cambridge: University Press. 1921. 18s. net.

IN lucid, narrative style the author tells the story of the economic development of France and Germany during the century, which is likely to stand out in history as the century of coal and steam. The thirteen chapters which compose the book cover the entire ground of agricultural and industrial progress, the last chapter dealing mainly with finance and the

financial institutions which formed the balance wheel of the entire movement. The author wisely reduces to a minimum those foot-notes, which in many works of its class are a continual distraction to the reader, but he gives in the preface a comprehensive list of the authorities from whom he derives his information. Having subjected this mass of material to a process of intellectual digestion and assimilation he has reproduced it in a book which is interesting and readable from beginning to end.

There are no digressions to teach any particular lesson. The narrative goes on in a straight and defined course. Some philosophic reflections in 'The Epilogue' leave the reader in some doubt as to whether in the opinion of the author the representative common man of France and Germany of to-day is better or worse off, happier or unhappier, than the man of 1815. Such problems have perplexed humanity in all ages. Mr. Clapham quotes the opinion of one of his authorities, who, writing of the nineteenth century at its close, said: 'Its grievances have grown with its comfort, and in proportion as its condition became better, it deemed it worse. The mark of this century favoured among all the centuries, is to be dissatisfied with itself.' If this opinion is sound and if it is true that 'as a man thinketh in his heart, so is he,' the representative man of to-day has little reason to congratulate himself on his superiority to the representative man of 1815.

The purpose of the book, however, is not to teach the Philosophy of History. It is, as the author says, 'a history not of economic opinion, but of economic fact,' and as a narrative of fact it tells the story of material changes, which amounted in effect to economic revolution.

So far as Western Europe is concerned, the century from 1815 to 1914 was a century of peaceful development. The first considerable war to break the calm was the Crimean war, but that was a local affair. The German war against Denmark was a trifle. The Austro-Prussian war was a thing of a few weeks, and the Franco-German War was over in six months. Compared to the war period which ended in 1815 and to the new period beginning with the cataclysm of 1914, from the effects of which the world is still reeling, it was a century of peaceful industrial progress. Coal was King, with steam as its deputy, and what this meant, particularly in creating our immense cities, can be illustrated from Hume's well known essay on the Populousness of ancient nations, written before the days of steam. Hume disposes of the accounts given by ancient historians of the teeming millions of ancient cities, by proving clearly that such great multitudes could not possibly have been crowded together, because the sources from which they could draw their food and the means of communication made this impossible. But those conditions did not change materially up to Hume's day, and arguing from the same premises he says: 'London, by uniting extensive commerce and middling empire, has perhaps arrived at a greatness which no city will ever be able to exceed.' The population of London at that time was equal to that of Paris, and each of those cities contained about 700,000 people. London to-day has a population ten times greater than that which Hume believed was the limit of its growth. That is what the century of coal and steam

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has done for us. If the century which we have now fairly entered is to be a century of water power applied through electricity, the industries of the future may once more be scattered beside the mountain streams and sea-shores. Thus while the age of coal and steam has been the age of concentration, the age of electricity may become the age of dispersion, and the people may leave our smoke-polluted 'wens,' the abomination of Cobbett, for the freer air of the open spaces.

Mr. Clapham's book, which contains a good index, is a mine of information statistical and otherwise, which no one who wishes to study the economic history of Western Europe during the past century can well afford to neglect.

ANDREW LAW.

THE FOUNDING OF A NORTHERN UNIVERSITY. By F. A. Forbes. Pp. xi, 228. With 6 Illustrations. Small 8vo. Edinburgh and London. Sands & Co. 1920. 6s. net.

MR. F. A. Forbes has written a monograph of much interest to the citizens of the North-East of Scotland and of particular interest to all sons of Aberdeen University.

Quoting largely from the annals and records of the time—one wishes that Mr. Forbes had worked up this material more and made his picture still more full—the writer adds, as it were, an extended footnote to Mr. J. M. Bulloch's *History of the University of Aberdeen* by giving a general sketch of the conditions of life prevailing in the North-East of Scotland at the close of the Middle Ages when, in the days of James IV. Bishop Elphinstone received from Pope Alexander VI. the Bull founding the University of Aberdeen on the democratic model of the University of Paris. The Medieval Church, even in the outlying districts of the North, had been not only a great religious and social, but also a great educational power; the foundation of Aberdeen University was the richest and most enduring gift of the Church, to the intellectual life of north-eastern Scotland. Mr. Forbes regrets as we all do that the Presbyterian zealots of the Reformation should have destroyed so ruthlessly much of the beauty that Elphinstone and Dunbar had inspired, and should have dealt so hardly with such devoted sons of the old faith as John Leslie, Bishop of Ross, devoted counsellor of Mary of Scots in the days when even her own son forsook her. One could wish that Mr. Forbes had voiced his evident thought, that throughout times of change and vicissitude, the University of Aberdeen has stood in the North-East as a monument to the philanthropic vision of the great churchmen of the past, inculcating the lesson of gratitude for evident benefits upon citizens and University graduates of all creeds.

JOHN RAWSON ELDER.

IRELAND UNDER THE NORMANS, 1216-1333. By Goddard Henry Orpen. Vol III. Pp. 314. Vol IV. Pp. 343. With a map. 8vo. Oxford: Clarendon Press. 1920.

IN these two masterly volumes Mr. Orpen has in a thorough, unhurried, and workmanlike manner brought to a conclusion an ambitious undertaking

interrupted by the Great War. Those new volumes (vols. iii and iv) are of the nature of pioneer work to an even greater extent than their predecessors published in 1911.¹

The whole work, now happily completed, is of great value as a contribution to the earliest period of Irish History for which satisfactory evidence is available, and the judicial impartiality of its tone justifies the author's modestly expressed claim that he has viewed the period of which he writes purely from a medieval standpoint, allowing no 'modern political nostrum to colour the presentation of the picture drawn.' If the main value of the treatise lies, however, in the help afforded towards laying the foundations of early Irish History upon an unprejudiced basis, its usefulness extends in other directions also, three of which may be pointed out. Mr. Orpen's carefully marshalled data afford a view of how the wonderful genius of the Normans for administration grappled with a new set of difficulties in a new locality. It is, further, an interesting study of the working of feudal principles in conflict with the tribal customs so deeply rooted in the Celtic mind. Finally Mr. Orpen's untiring labours have made available a mass of neglected material which, when collated with contemporary English record evidence, is capable of throwing much light on the development of law and institutions in England at an interesting and critical period.

Of the manner in which Mr. Orpen has completed his undertaking, it would be difficult to speak too highly. Evidence of careful and successful scholarship appears upon every page.

WM. S. McKECHNIE.

PROCEEDINGS OF THE SOCIETY OF ANTIQUARIES OF SCOTLAND. Session MDCCCXCIX—MDCCCXX. Vol. liv. Fifth Series, vol. vi. Pp. xxxi, 276, with many illustrations. 4to. Edinburgh: Printed for the Society by Neill and Company Ltd. 1920.

IN 1919 the Antiquaries made great changes in their managing personnel. Mr A. O. Curle who had by request continued in charge of the National Museum notwithstanding his appointment as Director of the Royal Scottish Museum has now given up the double office and his departure was made the occasion of well-earned compliments to his knowledge, courtesy and administrative capacity. The important position which he vacated was conferred on Mr. J. Graham Callander, an excellent antiquary of shrewd judgment and tried experience, to whom we wish a long and successful career as Director of the National Museum.

The volume for session 1919-1920 will bear comparison with the finest and most varied of its antecedents. Not only are the subjects in themselves of standard note, but the handling of several of the more intricate must satisfy archaeologists that the national antiquities are being adequately expounded, and that sometimes as in the case of the Crossraguel coins and the excavations at Traprain the expositions are unsurpassed whether for inherent interest or in technical skill. Dr. George Macdonald in his paper on the Mint of

¹ Reviewed *S.H.R.* vol. xi. p. 182.

Crossraguel Abbey describes with added light¹ the find of coins including 88 farthings inscribed MONE[TA] PAUP[ERUM] and 51 pennies inscribed CRVX PELLIT OMNE CRI[MEN]. The commentator's explanation accompanied by plates of specimens, is complete and triumphant: the coins are of the Abbey's own mintage, possibly under cover of charity involving some possible profiteering by the monks.

Mr. A. O. Curle writing about the great find of Traprain gives a masterly account to which the fine illustrations are luminous corollary. 'Further exploration,' concludes the learned and fortunate director of the investigations



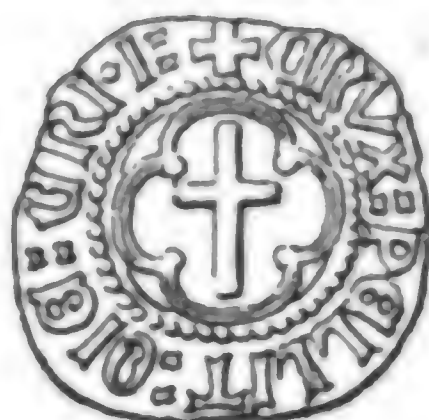
Billon Penny, James III.



Copper Farthing, James III.



Crossraguel Copper Penny,
first variety.



Crossraguel Copper Penny,
second variety.



Crossraguel Copper Farthing, third variety.

and discoverer of the hoard, 'may reveal fresh facts, but for the present the light of our knowledge does not suffice to dispel the darkness that enshrouds the history of this great hoard previous to its being buried on the shoulder of Traprain Law.' Mrs. T. Lindsay Galloway excellently records the exploration of a burial cairn at Balnabraid, Kintyre, adding good photographs and a most lucid plan and section by Mr. Mungo Buchanan. Among other interesting articles is Dr. Hay Fleming's extensive paper of transcript from the accounts of Dr. Alexander Skene on the repair of St. Salvator's College buildings in 1683-1690. Needless to say the editor finds many of the entries illuminating both as regards the costs of the work done and as regards the wide circle of subscriptions which enabled the authorities to foot the bill.

GEO. NEILSON.

¹ See *S.H.R.* xvii., 163.

BRITISH ACADEMY RECORDS OF THE SOCIAL AND ECONOMIC HISTORY OF ENGLAND AND WALES. Vol. IV. A Terrier of Fleet, Lincolnshire, and An Eleventh Century Inquisition of St. Augustine's, Canterbury. Pp. lxxxv-214 and xxxvii-33. With 2 Maps. Royal 8vo. Oxford: The University Press. 1920. 21s.

THIS is the third volume to appear of this unique and valuable series of historical records. While it is rightly said in the Preface of the Editorial Committee that 'England possesses the most remarkable set of records of economic and social history in the world,' one wonders if 'England' is intended in the geographical sense. Certainly Scotland is particularly rich in similar documents, and it is unfortunate that so much historical writing about Scotland has neglected this store of essential material. As long as the old bad habit is continued of writing history by repeating or discussing what has been printed already, little progress can be made. In that way opinions are made to do duty for facts, and the whole mechanical process of book making is a travesty of modern historical study. This is a special danger now that the social and economic history of Scotland is beginning to be studied, or rather it may be said people are thinking of beginning to study it. If the result is merely to collect the views of contemporary writers, who in many cases were ill-informed or prejudiced, it might be better to leave it alone. What is required is to get to the documents: and, if possible, to secure the printing of valuable MS. material. In spite of the excellent work of the Scottish Historical Societies much remains to be done, and there could be no better model than this series as developed under the able editorship of Sir Paul Vinogradoff. It is much to be hoped that, even yet, a way may be found of preventing the threatened suspension of volumes which have been arranged for already.

The first part of the book, now under consideration, is a Terrier of Fleet in Lincolnshire under the editorship of Miss N. Neilson of Mount Holyoke College, Mass., which was drawn up in the ninth year of Edward II. It is of great local interest through the precise account of the names of the tenements, their owners and the conditions of tenure. The wider historical purpose is to be found in the record of the adaptations of the manorial organisation to the conditions of fen life. This adaptation obtained a separate title in early account rolls, being dealt with under the heading 'Mariscus.' The common life of the fenland manor had necessarily much concern with the protection of the land from inundation, and its success depended largely upon the quantity of safe pasturage. In addition, revenue was derived from sale of moorland, turbary, fishing and fowling and some other miscellaneous items. The relative isolation of sections of the fens was marked at very much later dates than that of the Terrier, and a community, so shut in and living under special conditions, was adapted to preserve its own development of manorial customs. At the same time, even at the time of the Terrier, there were necessary relations with the outside world. An industry of some importance was the production of salt by means of evaporation. There was a special place, le mothow, where salt was brought to be marked and rent and fines collected for the lord of the manor. The salt was then ready for shipment.

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The second document, an Eleventh Century Inquisition of St. Augustine's, Canterbury, is edited by the late Adolphus Ballard. The importance of this document is built up piece by piece, in a thorough historical investigation by the editor. It is contained in a cartulary of the thirteenth century, yet it is shown that the compilers of the document possessed a more intimate knowledge of the abbey than is to be found in the Doomesday Book. That might be explained by additions made to the Doomesday Survey by a man well acquainted with the affairs of the abbey. But a closer examination of the document shows that in the rest of Kent, and particularly in the case of the boroughs, the Inquisition is better informed than the Doomesday Survey, as, for instance, a passage of about 100 words relating to the mills of Canterbury which is wanting in the Survey. Also the Inquisition shows a better acquaintance with English place-names, and finally the conclusion is reached that the document is based on the lost returns of the hundreds from which the Doomesday Book was compiled. This leaves the question of transmission still to be determined, which the editor sums up as follows: 'The utmost that can be claimed for our document is that it is a copy, made in the thirteenth century, of a copy made between 1100 and 1154 (or possibly 1124) of an independent compilation, made in or before 1087, from the original returns of the hundreds from which Doomesday Book was compiled.'

W. R. SCOTT.

FORNVÄNNEN MEDDELANDEN FRÅN K. VITTERHETS HISTORIE OCH ANTIKVITETS AKADEMIEN. 8vo. With many Illustrations. Stockholm, 1917.

It is obvious from the bulk of this volume that in Sweden archaeological research was in no way hampered by the great war.

The papers treat of a variety of topics. Herr T. J. Arne deals with the antiquities of Vermland, a province less known to travellers and less rich in material than some of the districts further south, but here also are found and described many burials of types with which we are familiar in Scandinavia—cist burials of the stone age, piled cairns of the age of bronze, and stone settings of the iron age. The oldest iron age cemeteries belong to the La Tène culture, others have been noted dating from the transition period about A.D. 400, and from the older Viking age. Early trepanned skulls are the subject of an article by Herr Fürst. Seven of these were known in Sweden before 1913. Three new examples are now added to the list, two dating from the early iron age, and one from the Viking time. Herr Hjärne chronicles an interesting find of fibulae from Storkåge, in the province of Vesterbotten. It contained, among others, two penannular brooches with enamelled terminals of a type known in Finland, and also found in Esthonia. The deposit appears to date from the first half of the fourth century A.D., and affords evidence of direct trade relations between Northern Sweden and Esthonia at a relatively early period.

Herr Berger Nerman returns to the study of the Ingling saga, subjecting it to an examination from an archaeological standpoint, with a view to establish the chronology of the Inglings, the earliest race of the Kings of Sweden.

The Ingling saga gives details of the death and burial of the Kings, taken from the *Inglingatal* written about 870 A.D. by Tiodolf of Hvin in honour of the Norse King Ragnvald. In his introduction to the saga Snorre Sturlason tells that an age in which the dead were burnt and a bauta stone erected above their ashes preceded the age of burial in howes. With the exception of Frey, who is legendary, the earlier Inglings are said to have been cremated. The transition from cremation burial and the erection of a stone to the mound burial is noted on the death of Alf and Yngve, who were laid in a howe on the Fyris meads at Upsala. The transition must date from about A.D. 400, at the close of the period of the iron age which is characterised by the presence of objects showing Roman culture. The graves of this period in Uppland, where the Ingling Kings ruled, show that the bodies were, almost without exception, cremated. On the other hand, Aun, Egil and Adils, who come early in the succeeding period, were all laid under mounds in Upsala, and probably the great Kings' howes, which still form so prominent a feature in the landscape at old Upsala, were raised above them. The excavation of these mounds has afforded evidence that the burials which they contain belong to the fifth and sixth centuries. The grave of Ottar, another King of the race, seems to have been identified by the excavation of a mound bearing his name, the Ottar's howe at Vendel in Uppland, which, among other relics, contained a solidus of the short-reigned Emperor, Basiliscus, A.D. 476-477. King Hake, who fell in battle and who was laid in his ship with his dead comrades and sent blazing out on the Malar lake, is assigned on archaeological grounds to the fifth century. In a later stage of the evolution of ship burial the dead Viking, laid in his boat as at Gokstad in Norway, was covered by a mound. The final stage was doubtless the 'ship setting,' the lines of boulders set in the turf over the grave reproducing the outline of a boat.

Among the recent acquisitions of the National Museum, Stockholm, which are illustrated, is a chessman of walrus ivory, a Knight with long pointed shield, found in the island of Öland. It closely resembles a similar piece found in the island of Lewis, now in the Scottish National Collection.

JAMES CURLE.

THE SOCIAL AND INDUSTRIAL HISTORY OF SCOTLAND FROM THE UNION TO THE PRESENT TIME. By James Mackinnon, M.A., D.D., Regius Professor of Ecclesiastical History, University of Edinburgh. Pp. viii, 298. 8vo. London: Longmans, Green and Co. 1921.

THIS is an interesting and a useful volume. It is the continuance of a recently published work, in which the author presented a similar history, beginning with the earliest times and continuing down to the Union. Here we have the two centuries which have passed since that event. The subject is a large one, and we can imagine the objection being taken that it is too large to be disposed of within so small a space. Call this, however, a handbook and not a history, and no such objection could be raised. The author himself professes 'only to give a review, which, while intended for the general reader as well as for teachers and students of Scottish history, may serve as an introduction to farther intensive study.'

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The book is comprised of two parts, one dealing with the eighteenth, the other with the nineteenth century 'and after.' The second is more than twice as long as the first, and may well be so. For although from 1750 to 1800 there was, compared with the stagnant condition in which Scotland had so long remained, a great advance, the eighteenth century was after all one of mere beginnings pointing to vast possibilities in the future. A good illustration of the difference between the two periods dealt with is afforded by referring to the lists of authorities founded upon at pages 57 and 271, the one dealing with the earlier, and the other with the later period.

This is not exactly a new field for research. It is characteristic of modern historians to deal with more than mere dates and battles, and there are valuable treatises specially devoted to the social and industrial condition of Scotland. Professor Mackinnon's excuse is really that a handbook, digesting the vast amount of available material, and stating the results briefly, may not be without its use. He has, we think, succeeded in producing a volume of practical value. There is a great deal of very varied information to be found here, and many authorities must have been consulted, and gone through the process of boiling down.

Concerning the first half of the eighteenth century there is not much to relate. Scotland was during that period miserably poor, much of its land a morass, its agriculture lamentably primitive, its manufactures, in the modern sense of the word, non-existing. Somehow or other the events of 1745 seemed to have cleared the air, for after that date there is a marked improvement and increase of wealth. The feudal bonds were relaxed, land came under a more scientific treatment, the mineral resources of the country began to be developed, villages became towns, and towns more than doubled their population. Steam, although in an experimental fashion, was attracting attention. Men lived in larger and better houses, and, in defiance of the Kirk, began to take an interest in the arts and drama. The century closed with a decided advance in all respects, but how little could those who witnessed the dawn of its successor have foretold what was yet to come, or anticipated the marvellous story which the second part of this book relates. Agriculture, all the industries primary and secondary, the development of a few lines of horse tramways into the network of railways, the wonders of modern machinery, the commercial and municipal enterprises, all these things and more are here dealt with, briefly it is true, but clearly and satisfactorily. In only one respect may the earlier period claim comparison with its successor. From an intellectual point of view the advance was not so great. Scotland in the eighteenth century could boast of many eminent men. Edinburgh, with such divines as Blair and Robertson, such philosophers as Hume and Adam Smith, and such judges as Kames and Hailes, might compare favourably with the much greater and richer city of the present day.

As Dr. Mackinnon remarks, 'ecclesiastical contention and theological discussion have entered very deeply into Scottish social life.' Accordingly he has not overlooked the religious condition of the country. He has dealt with the subject in a modern and liberal spirit. Even the latest heretic, Mr. Robinson, deposed by the Church of Scotland some twenty years ago,

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is favourably noticed, and his deposition condemned as 'an obscurantist attempt to limit the freedom of theological and historical research.' It is surely a mistake to say that the House of Lords only partially recognised the claim of the Free Church. The 'Wee Frees' obtained all that they asked from that Court, and it was only through State interference that substantial justice was effected. The subject here dealt with suggests a painful thought. It is a story of continued progress. Is that progress still to go on, or are we now, as the Dean of St. Paul's suggests, on the road to ruin?

W. G. SCOTT MONCRIEFF.

WANDERINGS IN THE WESTERN HIGHLANDS AND ISLANDS. By M. E. M. Donaldson. Pp. 510. With Plans and many Engravings. Large 8vo. Paisley: Alexander Gardner. 1921. 30s.

WE have visited, or revisited, with pleasure, under the guidance of the authoress of this large volume many of the leading historical, many of the most striking, and, to her credit be it said, many of the most inaccessible, but none the less attractive, places of interest in the Highlands of Scotland.

Her 'Wanderings' have led her not only to Iona, Culloden and Skye, but to Ardnamurchan, Eigg and Dun-Add, and she has passed the night on Staffa and on Eileach-an-Naiomh, one of the Garvelloch Islands. There is a photograph of the small church on the latter island, in which possibly St. Columba himself officiated, and a hypothetical plan of the monastery buildings. Indeed, one of the greatest charms of the book is her collection of engravings, forty-two in number, including views of St. Columba's landing place at Iona, of Prince Charlie's Beach at Lochan-Uamh, of Castle Tirrim, of Stewart of Ardsheal's Cave in Duror, of one of the Glenelg Brochs, and of cottages at Kilmory, Ardnamurchan, with Rum and Eigg in the distance. The plans, too, which she has had prepared with meticulous care, or obtained permission to use, show the 'surmised site of St. Columba's monastery,' the medieval monastery on Iona, Dunvegan Castle, Castle Tirrim, the forts at Dun-Add and at the head of Loch Sween, an old church at Arisaig, and Dun Telve Broch at Glenelg. We regret the want of a bibliography. Room might well have been found for a very useful one without attaining the 'inordinate length' she apprehended.

Our guide in these 'Wanderings' has a very marked personality, which she makes no attempt to conceal, and holds strong opinions (and prejudices) of which she is apparently rather proud. These force one to read the book, which is not free from inaccuracies, with caution, and to be careful about accepting her 'incontrovertible facts.' Thus her walk through Glen Sligachan, which she says she accomplished in twelve hours, can only attain the length she assigns to it of thirty-nine miles, if her statement that 'one mile of Glen Sligachan is said to be the equivalent of two ordinary miles' be taken as literally correct.

Although a staunch Jacobite, a devoted Episcopalian, and a loyal and attached member of *the* clan *par excellence*, the Clan Donald, to whom it must be a matter of great regret that her own surname takes the lowland

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form, and without a good word for the Clan Campbell (individual acquaintances excepted), she need not attempt to turn MacCailean Mor, son of Great Colin, into MacChailein Mor, son of the Great Whelp, nor need she always treat Presbyterians with contempt, referring to their churches as mere places of worship, and speaking of their clergymen as 'Established ministers,' in contrast to the Roman parish priests and the Episcopalian rectors. Her reference to 'the Edinburgh Court of Session' also reveals her attitude towards all things not Highland. Iona in her opinion 'suffered its final declension when in 1688 it passed into the hands of the family of Argyll.' She cannot but regret the duke's gift of the ruins to the Church of Scotland in 1899, and to her the restoration of the Abbey Church, as apparently of all pre-Reformation buildings, is *anathema*.

We have never heard English spoken in the Highlands as reproduced in her conversations with her Highland friends. The cadences and the construction may be correct, but the change of both consonants and vowels is grossly exaggerated and misleading. In her other book 'The Isles of Flame,' a poetic, romantic, and devotional description of St. Columba's conversion of the Picts, we find Miss Donaldson at her best.

S. M. PENNEY.

THE TRADITION OF THE ROMAN EMPIRE. A sketch of European History, with maps. By C. H. St. L. Russell, M.A. London: Macmillan and Co. 1921. Crown 8vo. 6s. net.

THIS is a school history of Europe based on the thesis quoted in its opening sentence: 'We must ever be thinking of *Rome*, ever looking to *Rome*, sometimes looking forward to it, sometimes looking back to it, but always having *Rome* in mind as the centre of the whole story.' The thesis is modern, the method ancient. Obviously a school text-book of some 280 pages covering the history of Europe from the Pelasgian movement to the Great War can be achieved only by rigid compression, but true statements can be so compressed as to be difficult and even misleading to the literal mind of youth, as this, in which material fact and mystical theory are cryptically blended: 'And all this, because Rome was—what she had been; because the Teutons had conquered Rome; because Rome had never fallen at all.'

The great merit of the book is that, unlike the usual school-book which presents a chain of more or less connected facts, it is constructed solidly round a definite point; there is a principle for the young student to seize upon and follow up. It is perhaps a pity that for Mr. Russell the tradition of the Roman Empire means the tradition of the imperial dominion, so that European history appears as a series of French and Teutonic attempts to grasp the power that Augustus held. That the Empire stood for organisation, communications, peace and order is not made clear, nor is room found for the constant tradition, so fertile of noble men and deeds, of the Roman Republic. Yet History must be taught with an eye to the future, and the only future Mr. Russell suggests is that of another attempt at dominion. The simplicity of the single principle has its dangers.

W. L. RENWICK.

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THE ENGLISH FACTORIES IN INDIA, 1555-1660. By William Foster, C.I.E. Pp. 440. 8vo. Oxford : Clarendon Press. 1921. 16s. net.

It is a welcome sign of recovery after the war that a volume of this series has appeared. The last was issued in 1915, and, in spite of the increase in prices in the interval, the cost has been advanced only by about twenty-five per cent., while the size of the book has been added to by about the same amount, so that the student interested in the British connection with India is able to get his material practically at the pre-war price.

The period of suspension of publication has been utilised to make a change in the treatment of documents. These are now grouped under different Presidencies or agencies—as for instance, Surat, Persia, Coromandel Coast and Bengal, Western India and the Inland Factories—and the documents under each of these are summarised or quoted and connected by short passages of narrative. Thus the series has ceased to be a calendar, and is on the way towards becoming a narrative based on documents. With Mr. Foster as editor the work is in good hands, while references are given which enable any document summarised to be traced and examined. As a result this volume contains the result of an examination of eleven hundred documents, few of which have been utilised before.

The period covered witnessed not only the Restoration of Charles II. but also the Restoration of the Company. The previous volume and the first two years of the present one show its fortunes in the depths of depression. In fact in 1655 all that held the Company together was the need of recovering and realising such assets as remained. In the words of the committees in London, 'our worke is now only to contrive to what estate wee have in your parts.' Merchants, who were opposed to the Company, were sending ships to India without hindrance, its servants were without funds, they were discouraged and the factories became disorganised. Further, in India the Empire of Shāh Jāhan was breaking up and Coromandel was invaded by Aurangzeb in 1656, while Fort St. George was attacked in the following year. Yet in the midst of depression the spirit of adventure was far from dead, as is shown, amongst other instances, by the attempt to seize a vessel belonging to the Nawab as it passed Madras, as a measure of reprisal. The dashing attack was successful as far as securing the ship, but, alas, the factors were disappointed in securing the treasure they expected, which one suspects was the main objective.

The revival of the Company's fortunes in India began at the end of 1657, when it was known a new charter had been secured and a considerable capital subscribed. In the following year 13 ships were sent to India, as against only one a few years before. The Committees of the Company had a great task before them. They had to rebuild the organization in India, reform abuses, and settle with independent or 'interloping' merchants who had established themselves. The first fruits of enlarged resources and a vigorous administration begin to show themselves in the later pages of the present volume.

This account preserves much of the personality of the writers. A couple of examples may be quoted. There is a faded letter from an English sailor who had been employed by the Company. He was taken

prisoner by the Dutch and swam ashore, escaping 'very narrowly.' The President of the Company at Surat received him with 'very ill language,' upon which he took service with Prince Aurangzeb, and he concludes, 'I thank God I doe live well and get mony.' The factors in Deccan wrote with a sharp pen. In 1660 they say, 'wee have livd heere upon poore mens charity, in the midst of great envy. For you may please to know that now Vauggy Shippott (Bhāji Shivpot), hearing that his bills of exchange is not paid in Surat, and that Simbo Potell is likely to loose his mony (as justly hee deserves), and that wee have found him to bee a treacherous person, that laughs and smiles in our faces, when behind us hee endeavours to cutt our throats, and contrives all wayes to roote us from hence, hee now cannot dessemble longer, but appears in his owne coulours and hates the sight of us as much as a monster doth a looking glace.'

W. R. SCOTT.

ROBERT CURTHOSE, DUKE OF NORMANDY. By Charles Wendell David. Pp. xiv, 272, and one map. 8vo. Cambridge: Harvard University Press. 1920. 12s. 6d.

WE are glad to have read this monograph. Robert Curthose from his want of success has been somewhat neglected by historians and it is right that we should have the sources for his biography collected, weighed and put together. The eldest son of the Conqueror was unlucky almost all his life. His first rebellion against his father cost him the English Succession, and his hold on Normandy was never too secure. One success he had and that was in the Crusade of 1096, and it was as a crusader that any fame was attributed to him by later chroniclers. His fall before the power of his successful brother Henry I. led to his imprisonment in various castles in England and Wales, and in the latter country he is said to have learned Welsh and to have written verses in it. His long captivity and the death of his only son—*mult fu amez de chevaliers*—is described in full detail in this carefully compiled work.

A. F. S.

A HISTORIC GEOGRAPHY OF THE BRITISH DEPENDENCIES. Vol. vii.—India, Part II. History under the Government of the Crown. By P. E. Roberts. Pp. iv, 212, and one map. Crown 8vo. Oxford: at the Clarendon Press. 1920. 7s 6d.

THE reader can have nothing but praise for this able continuation of the first part of this excellent work. Beginning with the end of the Vice-Royalty of Lord Canning, we are brought down to the Coronation Durbar of the reign of George V. and the Montagu-Chelmsford report. The style is clear and easy and the historic facts well weighed. Neither criticism nor praise is refused to the work of each Viceroy but always in a spirit of fair-mindedness. The period covers the increase of the Indian Empire by the incorporation of Burma, and the reasons for this step are particularly well dealt with. Lord Ripon's well-meant reforms are duly chronicled, and Lord Curzon's rule given its quota of praise.

KINCARDINESHIRE. By the late George H. Kinnear, F.E.I.S. With many maps, diagrams and illustrations. Pp. xii, 122. Fcap. 8vo. Cambridge : at the University Press. 1921. 4s. 6d. net.

THIS account of the county of Kincardine has been seen through the press by the dead author's friend, Mr. J. B. Philips, and we must congratulate him on his care. The author, however, had completed his work before his death. He tells us that although the county at one time possessed a royal residence it cannot be called a county of much national importance. The royal residence was from Pictish times at Kincardine in Fordoun parish and received Edward I. 'The Mearns' as part of the county is called, was in early times a constant source of trouble, and three Scottish Kings died violent deaths there. The county became the scene of the battle of Corrichie in Queen Mary's time and was ravaged during the time of Montrose. Dunnottar was the last stronghold to yield to Cromwell's troops and there the romantic saving of the Regalia of Scotland by the wife of the minister of Kinneff took place. The influence of the Earl Marischal made the county Jacobite, and the old chevalier was proclaimed at Feteresso in 1715. In 1746 it remained Episcopalian and suffered accordingly. Its antiquities include stone circles, a crannog at Banchory and the Ogham stone of Auchquhollie, as well as some crosses. The old church of Arbuthnott is one of the few existing pre-Reformation churches of the North, and Benholm, Dunnottar, Balbegno, and Crathes are interesting examples of places of strength, while beautiful houses abound. In the Roll of Honour the author includes the Keiths, Earls Marischal, Lords Monboddo and Gardenstone, Bishops Wishart, Mitchell, Burnett, and Keith. Dr. James Arbuthnot, Pope's friend, Marcus Ruddiman, David Herd and Dean Ramsay are among the writers. To this information is added a complete account of the geology and topography of the county and everything the intending visitor can wish to know.

MODERN HISTORY IN OXFORD, 1841-1918. By C. H. Firth. Pp. 51. 8vo. Oxford : Basil Blackwell. 1920. 1s. 6d. net.

IN this pamphlet tracing the development of history-teaching in Oxford Professor Firth shews the progressive spirit of research animating the occupants of the chairs and lectureships—himself modestly in the background although most prominent in his steady success. It is a great record of the rise of the historical stature of Oxford University.

One admires in Professor Firth's story the clearness with which he traces the lifting of the Oxford historical ideal, alike in theory and practice, by Stubbs and York Powell, and more recently under the influence of Firth himself.

ADAMNANI VITA S. COLUMBAE. Edited from Dr. Reeves' text with an Introduction on Early Irish History. Notes and a Glossary, by E. T. Fowler, D.C.L. New Edition, revised. Pp. 280. Crown 8vo. Oxford : at the Clarendon Press. 1920. 10s. 6d.

THIS new edition, revised and with a valuable glossary, will be welcome. It is intended for students to whom the works of Bishop Reeves, on which

it is based, are inaccessible, but who wish to study *virtutum libelli Columbae*. To make us understand this better, the writer has given a very interesting history of the Early Church in Ireland, showing how it took there a form not territorial as in England, but moulded by the Celtic System. Hence many strange positions came about, bishops subordinate to chieftains, and even to abbesses, married secular clergy, and traces of polygamy, which even the success of St. Patrick's mission did not change. We are given, too, an excellent account of St. Columba's life both in Ireland and in Scotland, his successors, their relations with the parent Irish Church, and of St. Adamnan, who was of the saint's own kin. The editor holds that the Columban Church was 'certainly neither 'Roman' nor 'Protestant' and so far we can follow him with certainty. A. F. S.

MEN AND THOUGHT IN MODERN HISTORY. By Ernest Scott, Professor of History in the University of Melbourne. Pp. viii, 346. With Portraits. 8vo. Melbourne: Macmillan & Co. 1920. 12s. 6d.

THE writer of this well-written book has written brief biographies of a number of thinkers and more full accounts of their theories and modes of thinking, with contemporary and later comments thereon. The choice is a little haphazard, and a book which includes Rousseau, Voltaire, Napoleon, Metternich, Palmerston, Abraham Lincoln, Karl Marx, Darwin, Gladstone and H. G. Wells, to mention no others, necessarily includes many schools of thought and manners of thinking. Still he has managed to make an interesting study, and at the end of his chapter on 'Tolstoy and Pacifism' we have the excellent sentence, 'Pacifism has much to be thankful for in the result of the war, even if those who fought in it and those who gave their lives in a righteous cause had little reason to feel thankful to the Pacifists.'

HAMLET AND THE SCOTTISH SUCCESSION, Being an Examination of the Relations of the Play of Hamlet to the Scottish Succession and the Essex Conspiracy. By Lilian Winstanley. Pp. x, 188. Crown 8vo. Cambridge: at the University Press. 1921. 10s.

WE find in this book a new attempt to discover the elusive meaning of Hamlet's complex character by deriving the play from the tragic circumstances which surrounded the sad early life of King James I. and VI. The author says that Denmark bulked largely in the popular mind through the King's marriage and through Bothwell's death, and that therefore the old play was chosen, but she deduces the tragedy from the murder of Darnley and his widow's remarriage to Bothwell. We think this is going too far. Even admitting that Shakespeare's plays sometimes contain bygone tragedies known to the audiences and forgotten political allusion, it is difficult to see why the playwright, while adapting the older play where the murder of a king by his brother and marriage to his widow was an integral part, did not alter this if he wished to be topical. No one can say that Darnley and Bothwell were in any way 'brothers' (the author mistakes 'first' and 'second' husband for 'second' and 'third' on page 57), while the fact that Hamlet's mother was not accused of the King's murder makes it less easy to make her character agree with the guilty one popularly ascribed

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to Queen Mary through the venom of George Buchanan. All one can say is that Shakespeare possibly desired the Scottish Succession, but it would be difficult to identify James VI. with Hamlet. There are many suggestions of possible origins, that the Ghost in the play comes from the ballad of the murder of Darnley, and that the courtiers can be identified. While we do not agree that the author proves her thesis she has written a book on an interesting subject that will create discussion and provoke interest.

HELPS FOR STUDENTS OF HISTORY. Ireland, 1494-1603. By the Rev. Robert H. Murray, Litt.D. London : S.P.C.K. 1920.

ONE wonders how the old-time student of history was able to work and work so exhaustively, without the help of a book of this kind. This one is exceptionally good. It begins by showing where the medieval statutes may be found which have never been entirely collected together, and it points out the effects of 'Poyning's Law' which has been so often misunderstood. We are given a splendid list of authorities on the Reformation and on the difficult subject of 'the Plantations,' and the digest on 'Modern Books' should not be neglected by any one who wishes to attempt to understand the melancholy history of the Sister Island. The essays are all brilliant.

A. F. S.

STUDY MANUAL FOR EUROPEAN HISTORY. By members of the Department of the University of Chicago. Pp. vi, 51. 8vo. The University of Chicago Press. 1920.

THIS is a list of readings for the history students of Chicago and also a guide for reading in European History for extra mural-students. It contains a long list of useful books.

THE SUBJECT INDEX TO PERIODICALS, 1917-1919. Issued by the Library Association B.-E. Historical, Political and Economic Sciences. January, 1921. Pp. 495. Folio. London : The Library Association, 33 Bloomsbury Square. 1921. 21s.

THIS bulky list of works classified by subject contains no fewer than 12,000 entries selected from over 400 British and foreign periodicals. The Scottish journals are sparingly represented. As an aid to study this systematic reference-book cannot fail to render capital service and certainly deserves hearty encouragement.

SONGS OF THE GAEL. By Lachlan Macbean. Pp. 32. 8vo. Stirling : Eneas Mackay. 2s.

TRANSLATED and set both to old notation and sol-fa these bilingual songs are intelligible and interesting even to those who know no Gaelic.

STORY AND SIGNIFICANCE OF THE REV. RICHARD BAXTER'S 'SAINTS' EVERLASTING REST.' By Frederick J. Powicke. Pp. 35. 8vo. Reprinted from The Bulletin of the John Rylands Library. Vol. 5. 1920.

THIS essay by Dr. Powicke (father of Professor Powicke) explains the sombreness and weariness of spirit in Baxter's best known book as reflecting

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the desperate political and religious conditions, 1645-1649, under which the work was originally composed. It is however suggested also that he was by disposition inclined to melancholy. His sincerity is insisted upon as well as his conservative frame of mind. An alleged tendency to rationalism is not very well supported. Contemporary charges of profiteering from the *Saints' Rest* are triumphantly refuted. Dr. Powicke has amassed a capital store of biographical commentary on a remarkable book which was a stand-by for two centuries, although its decline and fall are traced from 1690.

LABOR PROBLEMS AND LABOR ADMINISTRATION IN THE UNITED STATES DURING THE WORLD WAR. By Gordon S. Watkins. Pp. 247. 8vo. University of Illinois.

THIS, one of the University of Illinois studies in the social sciences, offers an excellently clear analysis of the organization of war labour, shewing the details of the administrative work and concluding with inferences from the immense experience thus gained. In general, British readers will be struck by the closeness with which conditions across the ocean meet our own. They will note with their own characteristic reservations the proposals for 'the introduction of democratic government in industry' and the suggested 'provision for giving to labor a share in the excess earnings of industry.' They will however unite in Mr. Watkins's aspiration for 'the generation of a spirit of co-operation, democracy and good-will between management and labor.'

LETTERS OF THEOPHILUS LINDSEY. By H. MacLachlan, M.A., D.D. Pp. xii, 148. Crown 8vo. Manchester: University Press. 1920. 6s.

THESE letters of the 'father of Unitarian Churchmanship,' 1723-1808, are edited with loving care. The writer was an Anglican clergyman who in 1765 established the first Sunday School at Catterick, and became a Unitarian in 1773. His letters are therefore of considerable interest to historians of that body. One of his converts seems to have been the Duke of Grafton.

CULLODEN MOOR AND STORY OF THE BATTLE. By the late Peter Anderson of Inverness. New and revised edition. Pp. 190. Sm. 8vo. Illustrated. Stirling: Eneas Mackay. 1920. 5s.

DR. P. J. ANDERSON sponsors this capital reprint of his father's creditable and well-informed local sketch and battle history which was first issued in 1867. An appendix of authorities on the battle and a detailed index add to the serviceableness of this meritorious historical essay.

Léon van der Essen: *Contribution à l'histoire du port d'Anvers et du commerce d'exportation des Pays-Bas vers l'Espagne et le Portugal à l'époque de Charles-Quint (1553-1554)*. Pp. 30. Anvers, 1921. An interesting contribution to the history of European trade based on a Spanish Report in

the royal archives at Brussels. It may be noted that books printed at Antwerp formed an important item in the list of exports, and that Antwerp was not simply a base of export: the bulk of the goods dealt with were produced in the Low Countries.

D. B. S.

In the Raleigh lecture on History to the British Academy—*The British Soldier and the Empire*—by The Hon. John Fortescue (pp. 23, Milford, 2s. net), a most inspiring claim is put forward for the soldier as a contributor to the historical literature and the imperial spirit of Great Britain. Notable are the tributes to Moore and Baden Powell. Perhaps it was too much to suggest that 'the demon of drink' has even yet been slain, and there may be overstrain also in the view of the army man as a moral force otherwise. But a little over-emphasis can be forgiven to the fine-spirited appreciation of the high quality of the British soldier.

G. N.

Unusual interest attaches to the presidential address given this winter to the Ateneo of Madrid by Señor Ramón Menéndez Pidal. It is published in *La Lectura: Revista de Ciencias y de Artes* (Madrid, December 1920) under the title *Un Aspecto en la elaboración del 'Quijote'* and contains matter of concern to every lover of the Don and every student who enjoys tracing the origins of the fun which that entertainer so plentifully supplies. 'Don Quixote' in its first part it will be remembered appeared in 1605, achieving its immense success as by a lightning stroke. Its manifold sources give no great trouble but the new question raised turns upon a work assigned to circa 1597 in which the primary plot of the future Don was if not forestalled, at least suggested seven years before the immortal knight of La Mancha came out into the open.

The work in question is styled *Entremés de los Romances* and is ascribed to 1597 although it must be owned that Sr. Pidal does not indulge us with bibliographical particulars. When unearthed by Adolfo de Castro it was declared to be the work of Cervantes himself, a view which Sr. Pidal will not take for granted. In the *Entremés* a farm-hand, Bartolo, reads himself insane in the study of knightly romance, identifies himself with the heroes of them and goes off on a course of unfortunate adventures of chivalry closely parallel to those afterwards sustained or suffered by Don Quixote. The parallels are at several points identities. Both Bartolo and the Don were profoundly impressed by the well-known romance of the Marquis of Mantua. Whoever turns to chaps. 4, 5, and 10 of *Don Quixote* will see how cleverly Cervantes drew from that romance its extravagant humour. The romance itself is printed in Ochoa's *Tesoro de los Romanceros* and the editor footnotes the series of allusions to it made in *Don Quixote*. The 'aspect' of these allusions, however, noted by Sr. Pidal is that most of them are repetitions, sometimes even verbal, from the *Entremés*. It is an 'aspect' which nobody can refuse to see. But until the bibliography of the *Entremés* is definitely worked out, the text of the parallel passages made available to English readers, and the authorship of the *Entremés* reasonably determined, we in Great Britain must remain in doubt whether Don Quixote was a single stroke of inspiration from Cervantes, as we had supposed, or a secondary line of splendour

protracted and intensified from the Bartolo of another humorist-critic and playful expositor of Spanish romance.

Sr. Pidal will bear with us if we are not in haste to decide without fuller documentation in a process of such literary moment.

A Bibliography for School Teachers of History edited by Miss Eileen Power (Pp. 62. 8vo. London: Methuen and Co., Ltd. 1s. 6d. net) merits hearty commendations for the frank judgments, originality of social stand-points, and general air of freshness and vigour characteristic of a preliminary essay on the teaching of history. Its dominating idea is to press the study of life a little more and politics a good deal less. This preference shews itself also in the bibliography (240 volumes) by which Miss Power puts her principles into practice as a guide to both teacher and student.

The English Historical Review for April strikes a general note more technical and less popular than usual. 'The Genealogy of the Early West Saxon Kings,' by G. H. Wheeler, pieces the sparse annals well together. 'The War Finances of Henry V.,' by Dr. Richard A. Newhall, and 'The Supercargo in the China Trade about the year 1700,' by Dr. Hosea B. Morse are (perhaps the more because of their unromantic type) rich in details of management, especially on wages, exchange and general finance. As a combination of the functions of the trader and the diplomat, the part the supercargo had to play had its adventures, and it is gratifying to find Dr. Morse emphatic on the fitness of the men for their vocation: the select committee formed from them during 1780-1834 'were the finest representatives that England could have desired of her mercantile community.'

In a 'note and document' article Dr. J. H. Round discusses the suggestive but difficult fact of the occasional cases of exclusion of county-castles and their baileys from the jurisdiction of the towns in which, or at which, they were situated. Using Prof. Maitland's studies of Cambridge as a remarkable instance of this birth mark of jurisdiction and ancient government, Dr. Round impressively urges the paramount need of exact and exhaustive topographical and historical research on all such problems. Miss Winifred Jay unearths a charter by Edward VI. on 22 July 1550 which incidentally states that the King had lately assigned the upper part of the chapel of St. Stephen at Westminster *pro domo parliamenti et pro parliamentis nostris ibidem tenendis*. This is a valuable ascertainment, determining with approximate exactness when St. Stephen's ceased to be a mere ecclesiastical edifice and took on that character as a political assembly-house which has so long been its decisive connotation.

The Antiquaries' Journal for April shows the new magazine of the London antiquaries maintaining its steady place as a business-like record of current discussion, discovery and commentary. For the moment perhaps the controversies are not urgent, but the battle of Ethandun gives opportunity for some not too cogent theorizing by Albany F. Major, while on the other hand certain beautiful Irish gold crescents are skilfully shepherded by Reginald A. Smith towards historical connections with the Aegean area, probably by way of Spain as intermediary. An axehead of stone, perhaps quartzite, dug up at Amesbury, is well described by Sir Lawrence Weaver.

Notes and Queries for Somerset and Dorset for March starts its seventeenth volume with a change of editor, the Rev. C. H. Mayo, for thirty-four years associated with the office, now retiring with all the honours of capital service. Rev. G. W. Saunders and Rev. R. G. Bartelot now conduct this charming little periodical. Extracts from record have always been a feature. The present number reproduces an Anglo-Saxon page from the tenth century Gospel Book of Widcombe Lyncombe. There are good notes on local bells and on the bellfounder Robert Austen, discussions on the birthplace and parentage of Dr. John Bull, and enquiries about arms in churches. The odd legend of the Martyrdom of St. Indract assigned to A.D. 689 is translated. It has special interest from its connection with the cult of St. Patrick. A fine portrait of Vice-Admiral Sir Samuel Hood, 1762-1814, accompanies a notice of an eminent naval family.

We have received the March number of the *Aberdeen University Review* vol. viii, part 23. Its themes are, India in Transition, English Spelling, the University Greek Play, and the art of the Theatre. Professor Harrower dealing with the Greek Play of 1920, which was the 'House of Atreus,' interprets the performance as proof of 'the undoubtedly great amount of first-rate dramatic talent in the University.'

The American Historical Review for January opens with a historical retrospect by Edward Channing crisply summarising American tendencies and movement since the *Mayflower* set her passengers ashore. The negro question is touched upon with significant diffidence and the Civil War is handled with equally significant repression. America's growing consciousness of world-responsibility is reflected in this interesting survey. It is followed by a paper on early Russia: a continuation search into the origins of the late War: and an enlightening set of letters and diary extracts from the papers of General Meigs on the conduct of the Civil War, particularly as regards General M'Clellan.

Another important chapter on the same period is by Mr. L. M. Sears on the adventures of John Slidell, the famous Confederate diplomat, at the French court. His greatest adventure of course was the affair of the *Trent* in 1861 when a U.S. warship made him a prisoner and nearly brought about a war with Great Britain. Slidell's intrigues with both France and Russia have a taint of almost pathetic ineptitude but he made a dignified stand for a lost cause. The silent refusal by President Johnson of Slidell's petition to be allowed to return to the States for temporary business purposes in 1866 impresses one to-day as not less impolitic than ungenerous, but no doubt the position was still equivocal.

The American Historical Review for April contains a summary of the Washington meeting of the American Historical Association in December last. Among the subjects was the *imperium* under Augustan constitution as modified by Hadrian's action in organizing a council of jurisconsults to assist him in his decision. Many modern and *post bellum* topics were treated, embracing the slave trade, the influence of Wesley during the American Revolution, the diplomatic relations of the American continent, and the historical policy of the Association itself.

In the same number a special article by Frederic Duncalf is devoted to the Peasants' Crusade of 1096. Its trend inclines to lessen the obloquy resting on the shoulders of Peter the Hermit for incapacity and decadence of spirit. It modifies also the usually adverse estimates of the Emperor Alexius and lays the chief blame for disasters at the economic door, the inadequate resources of the pilgrims. 'The *via sancta*' (says finally this criticism) 'was not for the pauper.'

A Russian view of the American Civil War, by F. A. Golder, is most notable for the high opinion of Lincoln's personal character which the Russian ambassador, Édouard de Stoeckl, formed, although his uniform view of the president as politician was unfavourable. Perhaps it was inevitable that a Russian diplomatic in the sixties should reckon a democratic statesman as entirely wanting in the qualities requisite for political autocracy.

The transport of troops on American railroads during the War is examined by Ross H. M'Lean, who commends the skill with which five millions of men were entrained and moved 'on schedule' to their stations.

The Caledonian for April, with its usual modicum of breezy patriotic United States Scotticism, has pictures of Kinloch Rannoch and Ben Cruachan and the Cross of Inveraray. Letterpress largely quoted from Scottish sources deals with the localities of the pictures, *plus* an account of Clan Urquhart.

The number of the *Revue Historique* for September-October 1920 contains the second half of M. Boissonade's survey of the commercial relations between France and Great Britain in the sixteenth century, and a further instalment of M. Halphen's critical examination of the history of Charlemagne. The latter is devoted to a destructive examination of the conclusions of Inama-Sternegg and Dopsch with regard to the agricultural system and ownership of land of the period. The *Bulletin historique* contains reviews of recent collections of documents in the province of English history, and of the latest contributions to the history of the French Revolution. M. Ch. Guignebert gives a cautious and critical estimate of Frazer's *Folklore in the Old Testament*.

The number of the same review for November-December opens with a short but interesting study of legal administration in Burgundy in the twelfth century by M. Ganshof. This article merits the attention of students of the Scottish monastic chartularies. M. Halphen continues his criticism of the conclusions of Inama-Sternegg and Dopsch, with particular reference to industry and commerce in the age of Charles the Great. Forty pages are devoted to notices of recent books on British history. Canon H. F. Stewart's recent edition of Pascal's *Provincial Letters* receives a very unfavourable notice.

M. Ernest Denis, the historian of Nineteenth Century Germany, died in January, and his merits as a writer and a man are treated at some length by M. Louis Eisenmann.

The *Revue Historique* for January-February, 1921, opens with the first part of a study of the *Prophètes* of Languedoc in 1701-2 and in particular with Jean Astruc 'dit Mandagout' by M. Charles Bost. He describes his subject as 'une crise religieuse morbide peut-être unique dans l'histoire.'

M. Eugène Déprez deals with the Black Prince's victory of Najera (3rd April, 1367). The subject has been treated by a number of recent historians and in particular by M. Delachenal. M. Déprez' main contribution is his discovery in the Public Record Office in London of the official despatch of the Black Prince. The *Bulletin Historique* is devoted to recent publications on Medieval Church History, and in particular on the period of Gregory the Great.

The *Revue d'Histoire ecclésiastique* for January, 1921, contains the first instalment of an examination by M. Paul Fournier of the collection of canons known as the *Collectio XII partium*, which he describes as a German collection of the eleventh century. The first chapter of the study deals with the various forms in which the collection has been preserved and discusses their relations. The article is marked by the writer's careful erudition. In a lengthy review Dom. Aubourg deals with Dr. A. T. Robertson's *Grammar of the Greek New Testament* and sums it up as the best elementary treatise on the subject. In a notice of the third volume of Carlyle's *Mediaeval Political Theory* the view is expressed that in limiting his researches to the main printed sources the author has diminished the value of his conclusions. A long notice is devoted to the subject dealt with in Leman's *Urbain VIII et la rivalité de la France et de l'Autriche de 1631 à 1635* and *Recueil des instructions générales aux nonces*, which cast new light on a neglected field. The number contains an interesting chronique and the first instalment of a useful bibliography.

The *French Quarterly* for December contains a suggestive article by M. Rocheclave on *L'Évolution du goût dans l'art français* and an interesting study by N. M'William of *French Impressions of English Character (1663-1695)*. The most important contribution is an *Étude critique d'un groupe de poèmes de Leconte de Lisle* by M. Maingard.

Leon van der Essen, *Les Tribulations de l'Université de Louvain pendant le dernier quart du XVI^e siècle*, pp. 26 (Rome, 1920). Extracted from the second volume of *Rome et Belgique*, a collection of materials and studies published by the *Institut Historique Belge de Rome*. This sketch of a critical phase in the history of the University of Louvain is based on a codex containing a register of official letters of the period and on the correspondence of Fabio Mattaloni preserved among the *Carte farnesiane* at Naples. The codex had been borrowed by Professor van der Essen in 1914 and thus escaped the fate which overtook the University Library. The pamphlet indicates the difficult position occupied by a Catholic institution which sought to preserve its independence and corporate privileges menaced by both parties.

Archivum Franciscanum Historicum (July-October 1920) contains as its first *discussio* 'Le Chapitre général de 1272 célébré à Lyon.' Here Father André Callebaut re-establishes the Franciscan General Chapter of 1272 on a firm foundation. It was the second of the four held at Lyons during the thirteenth century, but has been overshadowed by the more important one two years later. This earlier chapter has some interest from a Scottish

standpoint, for it dealt with the thorny question of the division of the Franciscan provinces. Scotland desired restoration to the position of a separate province, and King Alexander III. had approached the Holy See with this aim in view. The Pope supported the claim, but there were political difficulties which prevented it being formally granted by the Chapter General. In the third article Père Livarius Oliger discusses the recent attribution by Dr. W. W. Seton and P. Lehmann of certain Franciscan manuscripts to Nicolas Glassberger, the Observantine Friar.

J. E.

Notes and Communications

LOCAL WAR RECORDS. The British Academy convened some months ago a conference of representative historians, archivists and delegates of local societies to discuss the question of the preservation of local war records of a non-military kind. Sir William Beveridge, who is chairman of the British Editorial Board for the Economic and Social History of the War Period, called attention to the danger of local war records being destroyed, and the necessity of taking in hand, without delay, the question of their classification and preservation, and of determining what documents or records might be disposed of.

In order to further this scheme local committees have now been formed. Professor W. R. Scott, Political Economy Department, The University of Glasgow, would be glad to know of any minutes of associations formed during the war, and there must also be many diaries covering the war period—some of which will contain material that would be valuable to the social and economic student of the future. The committees which are being formed in the larger centres will doubtless easily trace the more important records, but there must be many sources of information which are apt to be passed over, and it is to be hoped that Professor Scott will have the assistance of all who can supply the information desired by the committee.

ST. MALACHY IN SCOTLAND (*S.H.R.* xviii. pp. 69, 228). My note in the April number, p. 228, on Archbishop Malachy's journey through Galloway, *c.* 1140, has elicited a timely correction from the Rev. Dr. John Morrison. In expressing the view that it was at Cairngarroch more probably than at Portyerroch that Malachy embarked for Ireland, I laid some stress on his visit to St. Michael's church (*ecclesia Sancti Michaelis*), which I identified with the parish church of Mochrum—'the only dedication to St. Michael within the county of Wigtown.' Dr. Morrison points out that charters No. 71, 72, 74 and 82 in the *Liber de Dryburgh*, contain reference to *ecclesia sancti Michaelis de minore Sowerby*. Lesser Sorbie, now incorporated with the parish of Sorbie, being only about three miles from Portyerroch, whereas Mochrum is nearly ten miles distant, may well have been the scene of the Archbishop's miracle in restoring speech to the dumb girl. If that was so, my argument that Mochrum lies on the direct road to Cairngarroch has no bearing on the question; although I am still sceptical, perhaps stubbornly so, about the Archbishop risking the long conflict with wind and tide in a voyage from Portyerroch, instead of the short and easy passage from Cairngarroch to Bangor.

Monreith.

HERBERT MAXWELL.

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ARCHBISHOP SPOTTISWOODE'S HISTORY (*S.H.R.* xviii. p. 224). Bishop Russell in his preface to the Spottiswoode Society edition of the *History* describes four MS. copies which had been in his hands. No. 1 in the Advocates' Library. No. 2 in the possession of the Spottiswoode family. No. 3 in the Kelso Library. No. 4 in the Library of Trinity College, Dublin.

If the MS. in the Advocates' Library is not the very first draft it is certainly a very early one. There were two MS. copies in the Lauderdale Library. One of the two is probably the copy now in Kelso Library. Principal Baillie makes it clear that he had access to the final MS., which is now in Trinity College, Dublin, and that before any edition was published. Bishop Russell, who adopted the Trinity MS. for his text, says it is 'the one prepared for the press by the author' and 'sanctioned by the licence of two secretaries of state.'

D. HAY FLEMING.

SCOTTISH CHURCH HISTORY SOCIETY. It is proposed to found a society under the above title, whose membership should be open both to laymen and clergymen. An interim committee has already been appointed, and further particulars can be obtained from the Rev. W. J. Couper, 26 Circus Drive, Dennistoun, Glasgow.

SCOTTISH BIBLICAL INSCRIPTIONS IN FRANCE (*S.H.R.* xviii. 181). The three texts headed by 'ANFERVORE' refer to evil. If the Scots who carved them came from Argyll, Skye or Uist, and also knew Gaelic, then 'anfervore' may be a corruption of the local Gaelic: *an fhir mhóir*, of the Devil. In these places the Devil is called 'am fear mór' and a son of the Devil, 'mac an fhir mhóir.' (*A Gaelic Dictionary*, Herne Bay, 1902, *s.v.* *fear*. God is called: *am Fear Math*, the good man, as compared with the Devil, the big man). Possibly the 'fh' of 'fhir' was sounded in the sixteenth century. The evils in the three texts: 'the ire of man,' 'evil,' and 'live after the flesh,' are all *an fhir mhóir*, of the Devil.

A. W. JOHNSTON.

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